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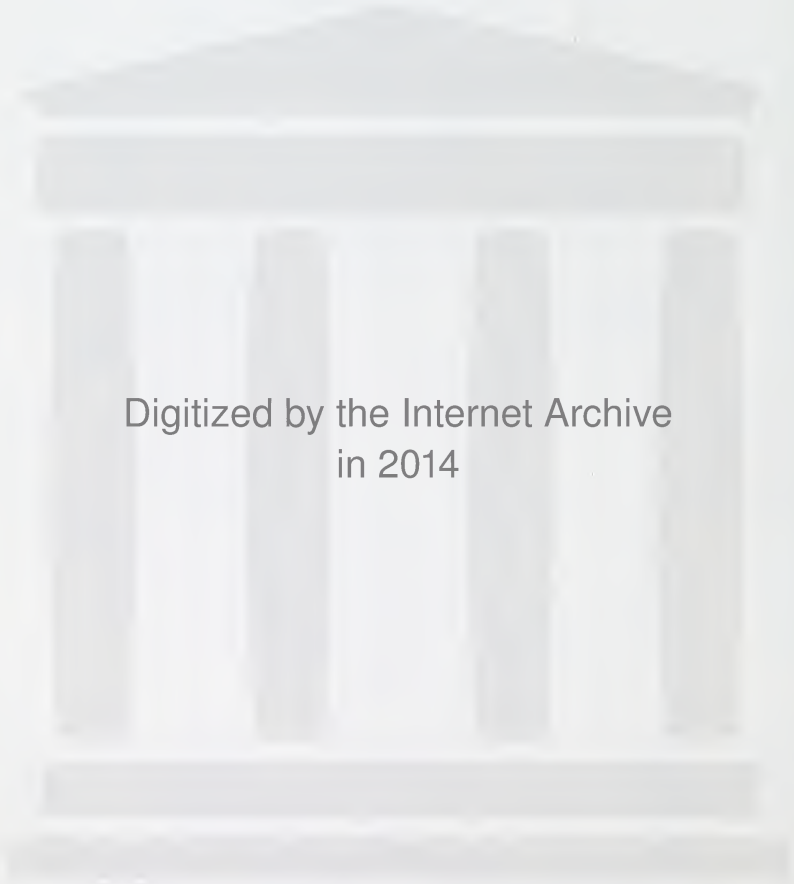
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REMAINS

HISTORICAL & LITERARY

CONNECTED WITH THE PALATINE COUNTIES OF

LANCASTER AND CHESTER.

PUBLISHED BY

THE CHETHAM SOCIETY.

VOL. LXI.

PRINTED FOR THE CHETHAM SOCIETY.
M.DCCC.LXIV.

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I.

ABBOTT'S JOURNAL.

II.

THE TRIALS AT MANCHESTER IN 1694.

EDITED BY THE
RT. REV. ALEXANDER GOSS, D.D.

PRINTED FOR THE CHETHAM SOCIETY.
M.DCCC.LXIV.

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THE

NARRATIVE

OF

RICHARD ABBOTT,

A servant of Caryll Lord Molyneux,

containing an Account of his Apprehension,
Imprisonment and Release,
In the years 1689–91.

PRINTED FOR THE CHETHAM SOCIETY.
M.DCCC.LXIV.

INTRODUCTION.

THE following Narrative, now published for the first time, contains an account of the apprehension, imprisonment, and release of Richard Abbott, a servant in the employ of Caryl lord Molyneux. It belongs to the period of the Revolution. The manuscript, written in the current hand of the time, occupies part of a small duodecimo volume, nearly one half of which is devoted to a miscellaneous collection of receipts for salves, plasters, and medicines, being, in fact, a sort of domestic Pharmacopœia. On the vacant pages have been registered various Roman Catholic baptisms and other religious memoranda, by the priests officiating at Croston Hall,[1] at a period when the exercise of their ministry was forbidden by law.

On a fly leaf the following entries, referring to Mr. Richard Abbott, are written in the same hand as the body of the manuscript, but with less durable ink. "On Whitsunday y^e^ 15 of May, in the (year) of our Lord 1692, I was

[1] This property passed by marriage from the Ashtons to the Traffords. The present proprietor, Randolphus de Trafford, Esq., has pulled down the old Hall, and built a handsome mansion from the designs of E. W. Pugin, Esq.

maryed to Mis Jane Prince, aged 23 years 7 months 11 days." Below this: "On Whitsunday y^e^ 15 of May in y^e^ year of our Lord 1692, I was maried to Mr. Richard Abbott, I being att y^t^ time aged 23 year: 7 months, and 11 days." There are three entries that refer to his housekeeping after the date of his marriage. The first records that his wife had taken lodgings: "Thursday y^e^ 27th of April 1693, my wife came to table with Matt: Pluckington, and is to pay 7*l.* 10*s.* 0*d.* per annum." But the erasure of this note with the addition of the following, would seem to imply a change in his household arrangements: "August y^e^ 19th 1693, my wife went to house to pay 4*l.* p^r^ ann^m^." This arrangement, however, does not seem to have been of long continuance, for another entry states that on the 24th of February (9$\frac{4}{5}$), which is 1695 according to our present style of reckoning, she went to table at 7*l.* per annum. Three years later there is a further entry recording that "Monday y^e^ 29th of August wife went to table at Rich: Hartleys (98)." From a subsequent entry — "15th May 1727 beene maryed 35 years" — it appears that he was still alive in 1727.

When to these particulars we add that Mr. Abbott entered the service of Lord Molyneux as soon as his years rendered him capable thereof, and that he had been fourteen years in his service when apprehended at Liverpool, we know all about him that has been thought worthy of record. His imprisonment had the effect of making him prize his liberty; for on a fly leaf he has copied "honest Abraham Cowley's prayer:"

for the few Hours of life allotted me
give me Great God but bread and liberty ;
i'll beg no more, if more thour't pleasd to give
i'll thankfully that overplus receave ;
if beyond that no more be freely sent
ille thank for this and goe away content.

Two other moral lessons he has set down for his guidance, which are authenticated by his initials R. A. They help to show that he was a better Christian than scholar:

In all thy glory
Memento mory.
for no envie no reveng
no rage no pride
no lust nor vengance
should our actions gide.

Abbott's narrative of his imprisonment reveals the barbarous hardships to which prisoners were in former times subjected in gaol whilst awaiting their trial; and the difficulty of procuring his liberation shows the perils to which the liberties of the nation were exposed at the trying crisis of the Revolution. Its principal value, however, consists in its complete refutation of the statement made by Richard Kingston in his *True History*, that Abbott was apprehended at Coventry in company with Lunt, the notorious informer against the Lancashire gentry at the Manchester trials, in the August of 1689, as he was returning northwards from London; that whilst in confinement there, they were visited by Charles Cawson, the master of the pink which had brought Mr. Lunt and Mr. Threlfall from Ireland, who was

in custody for that offence; and that both, after being examined by the Privy Council, were committed to Newgate for treasonable practices in November 1689.[2]

Dr. Kingston, who was a Court scribe and a pensioner of King William, must have had a purpose to serve in falsifying these facts. In a petition to the clerk of the Privy Council in 1699 he complains that 600*l.*, arrears of pension, were then owing to him; and he sets forth that he had printed thirteen books *on the Government behalf* at his own cost, and that he had been a witness in the conviction of three several traitors, &c.[3] Now Abbott's narrative shows that he was apprehended on the 15th of April 1689, and after five weeks' imprisonment was freed on bail; that he surrendered himself to a King's messenger on the 2nd of July; that on the 3rd he set out across the country to London, which he reached on the 11th; that he remained in charge of his keeper till the 7th of August, when he was committed to Newgate, where he continued till the 12th of February 1690, at which date he entered into his recognizance to appear at Lancaster to take his trial at the spring assize.

A search in the Public Record Office by a friend has enabled me to verify the accuracy of Abbott's statement; for amongst the scanty memorials of 1689, a year of doing rather than of writing, is the identical letter of Mr. Thomas

[2] See the *Jacobite Trials in* 1694, edited by W. Beamont, Esq., Introduction p. xv. and p. 18, note.

[3] *Notes and Queries*, 3rd series, vol. iii., Jan. 24, 1863, p. 76.

Tyrer, mayor of Liverpool, informing the Earl of Nottingham, Principal Secretary of State, of the apprehension, imprisonment, bail, and subsequent surrender of Abbott:

Liverpool, y^e^ 3d of July 1689.

Rt Hon^d^ Sir,

I thought convenient to give y^r^ Lordship an acc^t^ of Mr. Abbot, w^h^ is thus, upon y^e^ 17th of April last I was informed that he was imbarg^d^ in a small vessel for Ireland, whereupon I immediately ordered y^e^ custom house boat to follow him and bring him back, w^h^ accordingly they did, and I exai^d^ him (Major Gen. Kirk being present) who, I doubt not, but transmitted his examination to Whitehall, if it any way miscarried; the purport of it was thus.

He declared that a daughter of my L^d^ Molaneux being under a great indisposition, my L^d^ sent him over on purpose to wait upon her for Engl^d^, in hopes that her native air might contribute to her health, that he did not go in contempt of, or disobedience to y^e^ Government.

I caused him to be strictly searched and found never a letter about him, and when I had kept him five weeks in prison, I writ to y^e^ Recorder of Wigan (our own Recorder being at London) to know his opinion whether or no he was bailable, his answer was in y^e^ affirmative, so that I took sufficient bail for his appearance if y^e^ Government sh^d^ remand him, and when the Messenger came, one of his bondsmen went to Croksteth to him and he immediately redelivered himself. I have truly (as to the merits of the affair) stated it to y^r^ L^p^ and send it you together w y^e^ service of y^r^ L^p's^

most humble servant,

Thos. Tyrer,

To the Earl of Nottingham, Principal Sec^y^ of State.

Maior of Liverpool.

By virtue of his office, the Mayor was not only a justice of the peace for the borough, but also for the county of

Lancaster. He was chairman at the Quarter Sessions of the borough, and presided at the Court of Passage, assisted by the Recorder, for the trial of civil causes, where the cause of action arose within the borough. The day of election was the feast of St. Luke, the 18th of October, and the office was held for one year. He was chosen by the votes of the free burgesses; the only restriction on the freedom of election was, that he must already be a member of the Council. Under the Municipal Reform Act the Mayor is elected by the Town Council.[4] Mr. Tyrer enjoyed the esteem of his townsmen, for he had been Bailiff in 1681.

Two Bailiffs were elected annually by the burgesses on St. Luke's day. Their duties were very onerous, and they had to attend almost daily to public business. They acted as coroners for the borough, and as officers for the Court of Passage, the local Court of Record for the borough, at which the presence of one of them was required for the legality of the Court. They had to summon grand juries, petty juries and coroner's juries, and formerly had to act as billet-masters. The office of bailiffs was abolished by the Municipal Reform Act.[5]

Some excuse for the imprisonment of an apparently innocent man must be sought in the temper of the times. Fear and hatred had disordered the understanding of the nation. The people were kept in constant alarm by rumours of French invasion and the dread of pillage, whilst rival poli-

[4] *History of Liverpool:* Brooke, p. 197; Baines, p. 638.
[5] *Ibid.* Brooke, p. 202; Baines, pp. 356, 638.

ticians sought to advance the interests of their party by affecting a solicitude for the safety of their royal master. Any slander, however monstrous, if only well timed, obtained belief; and the most abandoned wretches, when begging and swindling failed, raised themselves from poverty to riches, and from obscurity to renown, by bearing false witness against their neighbour.

The Government was not likely to view without suspicion the intercourse of the old Cavalier party with Ireland; for news had reached London that James II. had landed in the harbour of Kinsale in the afternoon of the twelfth of March, and had been received with shouts of transport by both the Protestant and Catholic population of the neighbourhood.[6] In England many members of the Established Church and Dissenting Congregations, with the general body of the Nonjurors, were attached to the house of Stuart both from principle and affection. Though the latter disliked the Catholic tendencies of James, it was thought that some remedy might have been devised for the protection of the National Church without disturbing the legal succession of the Crown. If the loyalty of the Catholics had not been well tested during the Civil War—when not one of them, rich or poor, joined the rebels[7]—it was not doubted that the profession of their faith by James would render them anxious for his return. Yet it is a strange fact that they remained quiet both during the actual invasion of Ireland and the meditated invasion of

[6] *History of England,* Macaulay, vol. iv.

[7] *MS.* in possession of the Editor.

England, considering, as they did, that their allegiance was due to the exiled rather than to the reigning monarch. Perhaps their national prejudices against the French were greater than their zeal for James, and they disdained to co-operate with the enemies of their country even for the restoration of a king professing their own faith. We know that a similar feeling led Russell to declare, at the very time that he was under Jacobite influence, that, if he met the French fleet, he would sink it, though James was on board. It is to the credit of the Catholic body that not any Catholic, or at least any Catholic of note, was engaged in either of the plots which were subsequently formed for the assassination of William.[8] The very first year of his reign which brought toleration, such as it was,[9] to others, only riveted their chains the faster. The *1st William and Mary, c. 9*, removed all Catholics from London and Westminster under pain of forfeiting and suffering as popish recusant convicts, and the *1st William and Mary, c. 15*, authorised any two justices to warrant the search and seizure of all arms and ammunition in the house or possession of any papist, and of any horse above the value of *5l.* for the use of the king.

These statutes were not allowed to remain a dead letter as in more modern times, but were rigorously enforced by the representatives of the Crown. There is a letter in the Record Office from Charles Lord Gerard of Brandon,

[8] Butler's *Historical Memoirs of English Catholics*, vol. iii.
[9] *History of England*, Macaulay, vol. iv.

Lieutenant of Lancashire, to the Earl of Shrewsbury, Principal Secretary of State, which exhibits the keenness of that nobleman in this ignoble pursuit.

Preston, June 23rd.

My Lord,

I have received y^r^ Lordship's letter and am very glad that the Parliament are taking such measures for securing the Papists, which I thought so necessary that I have already issued my warrants for securing the whole party, and I hope by tomorrow night to have a good account of them. I have made discoveries of more horses and armes than what has been already seized.

This countey is very unanimous for the King's service, and I think there is not a better militia in England. As for the horses, I think it would be much for His Majesty's service to mount the honest Protestants of this countey upon them, but of this I will write more fully to y^r^ Lordship in my next.

The papers w^h^ were sent from Lancaster were seized by one Mr. Kirby whom I sent downe from London, and I hope he will be encouraged. I am with all respect

Y^r^ Lordship's most faithfull
and most obedient servant
C. Brandon.

To the R^t^ Hon^ble^
the Earle of Shrewsbury,
Principal Secretary of State.

With such a spirit abroad we are more surprised at Abbott's release than at his imprisonment, and it is probable that he owed his liberty not so much to a belief of his innocence as to the success of William's arms in Ireland; for the battle of the Boyne freed him from all further solicitude.

Besides Abbott one Richard Shuttleworth is named in

the order for their detention in Newgate. Both are said to "stand charged for high treason in levying of war against their majesties," but no specific act is alleged, nor does Abbott's *Journal* make any further mention of him. From the Public Record Office, however, we learn that he was employed in bringing over from Ireland to the partisans of James in England commissions, letters and papers; that he was seized as soon as he landed from a wherry on the Welsh coast, and committed to Chester Castle. The letters are so graphic that they deserve to be reproduced. The first two are from the Earl of Meath, who had succeeded his brother the third Earl in 1684. He was the son of Edward Brabazon, the second Earl, and Mary, younger daughter of Calcot Chambers Esq. of Denbigh in Wales, and Carnowe, county of Wicklow in Ireland. At the battle of the Boyne he had the command of a regiment, and was wounded in the subsequent attack on Limerick. He was Ranger of the Phœnix Park in Dublin, and died in 1707. The other is from Morgan, the Governor of Chester Castle. It is a pity he did not incorporate in his letter the particulars of Shuttleworth's examination: it was no doubt forwarded in a separate form.

Denbigh, June y^e^ 20th, but y^e^ post goes not hence till tomorrow.

My Lord,

There was a wherry landed upon this coast y^e^ 18th of y^e^ month purposely to sett on shore Richard Shuttleworth; he was apprehended and sent to this Towne. I examined him and y^e^ boat's crew generally; and by some of the boatmen I was ac-

quainted y^t^ Shuttleworth had a Red Portmantle w^h^ when he expected being seized he threw among some Russhes, upon w^h^ I sent a guard with one of the boatmen who landed Shuttleworth to look for this portmantle, and it fell into y^e^ hands of Mr. Thomas Carter, w^h^ emediatly I sent for; but his answer was y^t^ finding many papers, commissions and two little bookes w^h^ serves for a key to these papers, he sent an Expresse by his one servant to y^e^ King with them.

I have Shuttleworth and y^e^ boat's crew in safe custody; and resolve to see them delivered tomorrow to y^e^ Governor of Chester, and with them there Examinations; and just now I am taking horse for Sn^t^ Aseph, where I am told I shall discover more of this sort. I have sent a strong party, somme mounted, somme on foote, to search three houses neere y^e^ sea by Conaway, w^ch^ houses belongs to Papists, and I am informed has sheltered severall Irish at there landing, and harboured considerable numbers till they gott Passages for Ireland. The Party I have sent will secure y^e^ masters of these houses, and all suspected persons there abouts, and make diligent search for papers or any thing y^t^ may be of servisse to King William's interest.

Y^re^ Lordp^s^ most obedient servant,

MEATH.

This 20th instant y^e^ party setts out to search y^e^ Papists' houses.

To the Right Hon^ble^ y^e^ Earle of Shrewsberry,
Principle Secretary of State.

Chester, y^e^ 22th of June (89).

My Lord,

Last night I brought to this Towne y^e^ boat's crew (all but one) who I sent with some of my officers and men to search some suspected houses; and hope by the next to give y^r^ Lordsp a good acc^t^ of whatt they are sent about. Richard Shuttleworth and y^e^ boats crew I delivered into y^e^ safe custody of y^e^ Governor heere, with there Examinations, w^h^ by this post the Governor despatches to y^r^ Lordsp.

The commissions, lett^rs and papers w^h came with these men in a wherry from Ireland were throne amongst Russhes under a stone [*illegible*] and in ditchesse, but found by Mr. Carter's search..... Early and late, it shall be my care and duty to have y^e Welsh coast narroly and strictly guarded, and daily endeavour to prove myselfe in His Maj^ties servisse as becomes a Loyal subject.

Y^r Lordsp^s obedient servant,
MEATH.

To the Right Hon^ble y^e Earle of Shrewsbury,
Principle Secretary of State,
Whitehall, London.

Chester Castle, June 22, 1689.

May it please youre Lordsp,

.....

The portmantle w^h was sent up by Mr. Carter I suppose may give y^re Lordsp greate light upon the affaires in Ireland. I heere send y^r Lordsp a coppye of the examination of the prisoners who were taken in the boate and who are now in the Castle.

I have now as many prisoners in this Castle as I have men to guard them; truly, my Lord, the trust is greate, and I shall endeavour to discharge it with all diligence. I hope y^re Lordsp will please speake to his majestye that I may have heere two independent companyes or at least one consisting of a hundred who may constantly lye in the Castle, for realy there are so many roman Catholicks who thrust themselves into regiments that if it s^d happen that some disafected officer sh^d allot me such a guarde, they may betray mee and set the prisoners at libertye.....

Youre Lordsp^s most obedient humble servant,
JOHN MORGAN.

To the Right Hon^ble the L^d of Shrewsbury,
Principall Secretary of State,
Whitehall.

I can add little more to these scanty notices to enable the reader to realize the state of the country, when this narrative was written. The history of the statesmen who are mentioned in connection with public affairs, belongs rather to the general historian than to the editor of Abbott's *Journal.* Still one can hardly pass over the names of these celebrities without some notice. There were amongst them men of consummate ability, but their talents were obscured by the absence of principle. At no period of our history did statesmen stand so low. Office was sought for the lust of gain rather than the love of power, and men strove to grasp the highest honours the Crown could bestow, in order to fill their purses rather than to gratify an honourable ambition. Not to be treacherous, unpatriotic, corrupt, was a rare distinction for a statesmen in those times.[10] Under Charles II. some of the boldest speakers in the House of Commons were in the pay of France; and after the Revolution, statesmen, soldiers and sailors, whilst they ate the bread of William, were negotiating for the return of James, or they sold at Whitehall what they had been paid for at St. Germain. William, whilst affecting to hate bribery, did not scruple to practise it. He considered that every man had his price, and that the services of a statesman, like those of a valet, could be hired in the market by the highest bidder. It soon became a proverb, writes Lord Macaulay, that a Parliament resembled a pump: if a few thousand pounds were poured in as bribes, millions would gush out in the shape of

[10] Knight's *Popular History.*

supplies. There was a market for votes at the Treasury, as there was for cattle at Smithfield; and to distribute bribes was not thought to deprive a man of the title of an upright and honourable politician, though it would have been thought shameful to receive them.[11] Such were the men in whose hands the liberty, the fortunes, and the life of Richard Abbott, were placed.

The Privy Councillors who signed the warrant for his commitment, were Nottingham, Shrewsbury, Robert Howard, Henry Capel, Richard Hampden, and J. Boscowen.

Daniel Finch, Earl of Nottingham, bore amongst wits the name of Dismal, from his dark complexion and harsh features. Though in the secret to bring in the Prince of Orange, he shrank from taking an active part in the Rebellion; yet, when named Secretary of State, he did not hesitate to serve the new Sovereign. He was a zealous advocate for the retention of the Test Act, but purposed to extend toleration to any person who took the oaths of allegiance and supremacy, and subscribed a declaration against Transubstantiation — conditions which excluded all Catholics, to whom, in fact, the bill declared that it did not intend to grant the smallest indulgence. Lord Macaulay calls him a bigot, a formalist, and narrow-minded. In 1693, on the appointment of Russell as First Lord of the Admiralty, he resigned the seals of office, and retired into private life, a much richer man than he had been five years before.

Shrewsbury was the other Secretary of State. His man-

[11] *History of England,* Macaulay.

ners were easy and gracious, his temper sweet and bland; but he was without principle. He was one of the seven revolutionary chiefs who signed the requisition to the Prince of Orange to seize the English throne; but failing to find his hopes realized, he entered into secret negotiations with James, and resigned the seals of office in 1690. In 1694 he again accepted them at the earnest solicitation of the King, who showed him that he had become acquainted with his intrigues with the Jacobites, and he was subsequently named one of the Lords Justices appointed to administer the government during the King's absence in the Netherlands. But he was an unhappy man, and again retired from office in 1697.

Sir Robert Howard, one of the Berkshire branch of that great family, was a Privy Councillor and member of Parliament for Castle Rising. He was a staunch Whig, and exerted himself lustily in behalf of Oates, when the Lords had rejected his appeal in a writ of error; and backed Sacheverell in his attempt to disqualify for municipal office, for the space of seven years, any functionary who had been a party to the surrender of the franchises of a borough.

Sir Henry Capel, brother of that Earl of Essex who died by his own hand in the Tower, was one of the Lords of the Treasury at this epoch. He was subsequently named to be one of the Lords Justices to whom the government of Ireland was entrusted. By Lord Macaulay he is called "a zealous Whig, very little disposed to show indulgence to the Papists."

Richard Hampden, son of the leader of the Long Parliament, was another Whig member of the House of Commons who sat at the Treasury Board. He had been Chairman of the House of Commons, when the throne was declared vacant by the supposed abdication of James. He was subsequently appointed Chancellor of the Exchequer.

To these must be added Carmarthen, Halifax, and Russell, who signed the warrant for Abbott's further detention in Newgate.

Thomas Osborne, Earl of Danby, Marquis of Carmarthen, and subsequently Duke of Leeds, was one of the many statesmen who, at the Revolution, struggled, with unscrupulous violence, for office, and when attained clung to it, in spite of vexations, humiliations and dangers, with desperate tenacity. In the reign of Charles he had been Lord Treasurer, and had not scrupled to bid for popularity by putting down every species of Sectarianism and Dissent, and raising the cry of "No Popery." In 1689, the period of which we are treating, he was made President of the Council. Lord Macaulay says of him, that he was greedy of wealth and honours, daring and unscrupulous, corrupt himself and a corrupter of others; lax in principle; insatiably ambitious and covetous; and that out of grants, pardons, and bribes, he had accumulated a princely fortune.

George Savile, Marquess of Halifax, was another of those versatile statesmen, who, in this corrupt age, sought to retain power by trimming between the two great factions which divided the state. He held office under Charles and James

and William. Taunted by his enemies as an atheist, he preferred to lose office rather than vote for the repeal of the Test Act, and he laboured strenuously for the passing of an act banishing for life all Catholics, whose rental exceeded one hundred pounds per annum,[12] though he had shewn himself averse to the shedding of their blood. At the time of Abbott's imprisonment he was Lord Privy Seal.

Edward Russell, afterwards Earl of Orford, whom I suppose to be the Russell that signed the warrant for Abbott's further detention, was so far trusted by William, as to be appointed one of the Council of nine, before he set out for Ireland. He had been in the household of James, but joined in the invitation to the Prince of Orange to invade England, and landed with him at Torbay. Though false to William, and holding communication with James, he did his duty at the battle of La Hogue, where the partisans of James expected to have had his assistance. It must be on account of his practices with the Jacobites, and his undertaking to effect, by means of the fleet, what had been effected, in the preceding generation, by means of the army, that Lord Macaulay draws so dark a picture of him. Whilst admitting that he was a man of undoubted ability and capacity, the historian alleges that he was of loose principles and turbulent temper; that he was daring, unquiet and vindictive, proud, acrimonious, restless and violent, insolent, malignant, greedy, faithless, false, arrogant, wayward, intolerant, passionate, rude, emphatically a bad man and a villain.[13]

[12] Lingard, vol. x. p. 4. [13] Vols. ii. and vi.

Another Government officer who had a share in Abbott's apprehension, was the notorious Major-General Kirk. No doubt, he had been sent down with his "lambs" to crush any manifestation of disaffection in Lancashire, a county teeming with Jacobites. He may have been in Liverpool for the purpose of making preparations to sail for the relief of Londonderry. He is described as a rough soldier who had formerly commanded the garrison at Tangier, a regiment now known as the second of the line. Lingard, speaking of the execution by martial law of the prisoners taken after the battle of Sedgemoor in Monmouth's rebellion, says that stories were related of his wanton and unfeeling barbarity, which, if true, ought to have rendered him an object of horror to every human being, but which probably were false, since they did not prevent him from being caressed and distinguished by the Prince who expelled James from the throne. Yet Lord Macaulay confesses that "it is difficult to understand why the Government should have selected for a post of the highest importance an officer generally and justly hated, who had never shewn eminent talents for war, and who both in Africa and England had notoriously tolerated amongst his soldiers a licentiousness, not only shocking to humanity, but also incompatible with discipline." The detail of his cruelties at Taunton is too disgusting for insertion.

The reader will rise from the perusal of this volume with a feeling of thankfulness, that he can travel through the length and breadth of the land without the aid of a *pass*,

and that he can take shipping at Liverpool for a voyage, not only to Ireland but round the world, without the fear of arrest or molestation. At no period of our history has either the government, or the people, exhibited greater respect for the law, than at present, and in no country do the inhabitants enjoy greater personal freedom.

A. G.

St. Edward's College,
February 13th, 1863.

ABBOTT'S JOURNAL.

APRIL ye 13th (1689).

I was order'd by my Ld to goe for ireland to fetch over the Rt Honorable Lady Gormanston,[1] provided my passage would be without dangr or dificulty, so haveing procur'd a pas. and the Fumbler frigate bound for Droughada[2] i spoak to ye mastr one Jump who tould me he would falle downe to ye Rock that night: and haveing his concent i went openly abord (and haveing no fair wind) we lay at ye Rock[3] that night; the next day the Custom hous officers came to se what passingrs was in the ship; so showing my pas they permited me, but ye wind proving cros, we came to towne agane and went ashore:[4] lay that night

[1] Lady Gormanston was the wife of Jernico Preston, Viscount Gormanston, of Meath, in Ireland, who was outlawed for his adherence to James II. She was a daughter of Caryl, third Viscount Sefton, also a staunch adherent of the house of Stuart. She died in 1711.

[2] Drogheda is 133 miles from Liverpool. During the Commonwealth it stood a siege of eight days against Cromwell. Considerable portions of the walls, with two of its gates, still remain as ruins. Lord Macaulay describes it as being, at that time, a small knot of narrow, crooked, and filthy lanes, encircled by a ditch and a mound, the houses being built of wood with high gables and projecting upper stories.

[3] The Rock, known as the Black Rock, which bars the entrance of the Mersey, was anciently surmounted by a pole called the Rock Perch; but it is now surmounted by a beautiful lighthouse, eighty-six feet high, begun in 1827, whilst at the Cheshire side of the Rock has been erected a battery for the protection of the port. — Baines's *Liverpool*, p. 624. Troughton's *Ditto*.

[4] At this date there was no dock or proper harbour. The trading vessels lay in the offing, and the cargoes had to be discharged in boats, whilst passengers had to be carried ashore on men's shoulders, as there was not even a quay.

at y^e^ Georg;[5] intending to goe home earely in the morning; but about five a'clock, a ship boy came to my Chamb^r^ and tould me the ship was under sale, and a fare wind, so I made hast abord y^e^ 2^d^ time; but being scars got to sea but there apear'd a boat rowing and saleing affter us with all hast, and coming up to our ship they tould me they had orders to cary me back before the Maior, and requested me to goe into ther boat; which I willingly did; but immediatly there came the king's boat with Major Gen^r^all Kerk souldg^rs^, about a dozen, who demanded me there preson^r^, and cary'd me back before the Gen^r^all, where affter a long Examination, i was ordered to M^r^ Maior[6] hous to be search'd, and notwithstanding nothing was found about, I was sent to preson, where I reman'd 5 weeks, and then M^r^ Maior excepted of bayle; which was M^r^ Luis y^e^ gouldsmith, and M^r^ Sedan each in £200; myself in tow hundered pound to apeare att there next sesions, so I was at liberty and retorned home to my duty.

April the 15th I was made prisoner att Leverpoll for above 30 days. Expense 5,,0,,0.

But y^e^ 2^d^ of iuly came to my Ld^s^[7] M^r^ Luis and tould me i must goe to Leverpoll; that a mesing^r^ was com'd downe from London for me; so without any delay I went and surrend^rd^ myself into the mesing^rs^ custody att M^r^ Bens;[8] where I demanded to see his warrant which was as foloweth:

Copie.

Daniell Earl of Nottingham, Baron Finch of Daventry one of the Lds of his Ma^ties^ Most Hono^rble^ Privy Councell, and principall Secretary of State.

[5] Was this the George's coffee-house which stood, last century, on the west side of Castle-street, and was pulled down when that street was widened? — Brooke's *Liverpool*, p. 164.

[6] The Mayor was Mr. Thomas Tyrer. See Introduction, p. v.

[7] At Croxteth, as appears from Mr. Tyrer's letter to the Secretary of State; but Lord Sefton had a house called Stand Park near Sefton, to which he was accustomed to repair for the purpose of hunting and shooting. It was whilst making a call on Lord Molyneux at Stand Park, called New Stand, that William Blundell Esq. of Little Crosby, one of the Lancashire gentlemen tried at Manchester in 1694, was taken suddenly ill July 27, 1702: he died at Crosby on the second of August following. Croxteth was rebuilt by William, Lord Viscount Molyneux, who died in 1717.

[8] Mr. James Benn was one of the bailiffs of Liverpool; Mr. Joseph Travers was

These are in his Ma^ties name to authorize and require you forth-w^th to make strickt and dilligent search for M^r Allin and M^r Abbott of whom you shall have notice, and them or eyther of them haveing found, you are to apprehend for suspition of high Treason or Treasonable practicess, and to bring them or eyther of them in safe custody before me to be examin'd concearning suche matt^rs as shall be objected aganst them Relating to y^e premices, and to be further dealt with according to law. And in the due execution hereof, all Mayors, Justicess of the peace, Constables, and all other his Ma^ties officers, sivill and military, and loveing subjects whome it may concearne are to be assisting to you as there may be occasion, and for so doing this shall be your warrant.

Given att the Court att Whitehall the 24^th day off June (1689).

NOTTINGHAM.

To S^r John Talor one of his
Ma^ties mesing^rs in ordinary.

The 3^rd of iuly we set forward for London, but was 8 days on our iorney crosing the contery to winsor about 40 miles (about) at a great charg, y^e 11^th we came to london where i stayd a prisoner at y^e mesing^rs hous 9 days before I was examin'd by y^e Lds of the councell affter which Examination, i was ordered bayle but still a prison^r in y^e mesing^rs custody, and watted daly at white hall[9] from ofice to ofice and presented a petiõn to y^e Ld secretary to derect some person to take good bayle which i had ready but could not learne who might do it, so I got leave of my mesing^r to goe downe Charg 3,,12,,0.

the other. Mr. Benn was elected Mayor in 1697. For the duties of bailiffs, see Introduction, p. vi.

[9] In Whitehall were the offices of the Privy Council, the Secretary of State, and the Treasury. In 1698 the entire structure, with the exception of the banqueting-house and some small portion of its buildings, was destroyed by fire. Originally it was built by Hubert de Burgh, Justiciary of England, temp. Henry III. He bequeathed it to the Black Friars, who sold it to Walter de Grey, the Archbishop of York, whose successors used it as their archiepiscopal palace, until, on the fall of Wolsey, York House passed into the possession of the Crown. It ceased to be a royal residence at the Revolution.

to Hampton Court[10] with my Keep[r] to request the Right Hon[ble] Countⁿ of Derby[11] to speak to y[e] Ld Nottingham on my behalf; her Honor was very kind, and commanded me to stay dinner with her servants; afterward sent for me to her chamb[r], told me she would be mindfull, and do my business effectually the first time she saw his Ldpp.

Chang. A.D. 1.

giveing her Honor most humble thanks, I returned back with cheerfullnes to London.

Tow dayes after i was told the Queen was coming to towne by water; so made hast to attend at Buck staires, where she landed, but had not then an opportunity to speak tell two or three hower after perceaveing the Lady Derby coming in her chare[12] across the inner Court I met y[e] Chare where she stopt and told me she had not spoak then to my Ld about me, nor had any time, but would send M[r] Watkins her Gentlem[n] usher to his Ldpp to desire him to doe me all the favor my case would allow so we went to the

[10] Hampton Court was the principal residence of William and Mary. Cardinal Wolsey purchased the manor from the Knights Hospitallers, erected the palace, and presented it to his Sovereign Henry VIII. in 1526; but it was William who made it what it now is. George II. was the last king who resided there. In 1838 it was thrown open to visitors of every rank. In 1841 it was visited by one hundred and seventy thousand persons; as many as twelve thousand have passed through in one week. — *Knight's London.*

[11] Would this be Elizabeth Butler, daughter to Thomas Lord Ossory, who in July 167[7] was married to William Lord Strange, ninth Earl of Derby? or Dorothea Helena, daughter of John Kirkhoven, Baron de Brps in Holland, and maid of honour to the Queen of Bohemia, the aunt of William, who was the father of Charles the eighth Earl of Derby? Both were living at the time; but I have no doubt, that the wife of the ninth Earl was referred to, as she was a personal friend of Queen Mary, and at the head of her household.

[12] At this time there were no foot pavements as distinguished from the carriage road, but there were lines of posts for the protection of foot passengers who, however, were forced to give way to the chairmen. Chairs were first introduced into England in the reign of James I., but they were not in common use till 1634. In the reign of William and Mary, they were first used by act of parliament. They must have been an invaluable protection to ladies and elderly gentlemen, at a time when crowds of idle boys were allowed to play at foot-ball and other sports in the most crowded thoroughfares. — *Knight's Popular History of England.*

King's sell[r] where I was to stay till his returne which was about half an hour where he brought me word I should be discharg'd shortly. Expense 0..4..5.

That night being a Counsell night i attended till nere midnight when a Clark came out to ask my Cristian name which put me in hopes that my bisiness would be don; but the mesing[r] being call'd on, i was impatient to know what nues; he tould me we might apeare in the morneing agane. So went to our lodgings, and to bed, but geting up earely in the morneing, which was Wednesday y[e] 7. of August, I found my chamb[r] duble locked and hasp[d] on the outside, which made me think that things was nought; but presently the mesing[r] came up with a man and tould me he had a warrant to carry me to Nugate which was as foloweth:

These are in his Maiestys name to will and require you to receave into your custody the body of Richard Abbott here with sent unto you for suspition of high Treason and him to keep in safe custody untill he shall be dischargd by due cours of Law for which this shall be your warant.

Whitehall y[e] 6[th] day of August.

SHREWSBURY.
NOTINGHAM.
RO: HOWARD.
HEN: CAPELL.
J. BOSCOWEN.
R. HAMPEEN.

To y[e] keeper of his Mai[ts] prison of Nugate in London or his Deputy.

So i was brought by coach to Nugate praying the mesing[r] to speak favourably of me to the Maior or keep[r] of that prison, and put within y[e] iron dore into the press yard[13] and so into the fees and charges in ye messing's custody 16..14..0.

[13] The Press Yard was so called from the torture anciently inflicted on criminals who refused to plead. Some writers believe this barbarous custom to have been in use before the reign of Edward I.; but from the reign of Henry IV. must be dated the cruel infliction of pressing mute criminals to death. The marshall was instructed to put them in low and dark chambers, naked except about their waists, with as

Roume calld the lodg, and there lockt up close about 3 houres, and then a man came askd if i would have any thing to eat; I desired him get me 6^{d} in meat and a mug of Ale and lockt me up agane, but about an howre affter came and tould me I might have the liberty of y^{e} prison, which I was very glad of seeing many prisoners walking about in a walk about 15 yards long and tow brode, being all that the prison allowed night coming on I desired to know my lodging which was deferd tell ten a'clock at night, then the Turnekey with his great bunch of keyes sho^{d} me five pare of stares over the comon prison a most stinking Roume where there was a close prisoner a Flanderian,[14] spoake but little inglish, nor had y^{e} liberty of ever going out of the roume or other conveniences but a great chamb^{r} pot for both uses, my bed was hunge about with ould Cittermister Cortanes[15] and hoales in them so big as I could creep

much weight of iron as they could bear, and more, so that they should be unable to rise. They were to have nothing to eat but the worst bread that could be found, and nothing to drink but water, except running water, taken from the nearest place to the gaol; but on the day on which they had bread they were to have no water, and *e contra*, and there they had to lie till they were dead. From humane motives a sharp stone was sometimes placed under the back, and a sufficient weight was put on them to secure speedy death. In 1585, or 1586, Margaret Clitherow had this sentence passed upon her on refusing to plead. "*You must return from whence you came, and there, in the lowest part of the prison, be stripped naked, laid down on your back to the ground, and as much weight laid upon you as you are able to bear and so continue three days without any food, except a little barley bread and puddle water, and the third day to be pressed to death, your hands and feet tied to a post, and a sharp stone under your back.*" She was about a quarter of an hour in dying. A sharp stone, as much as a man's fist, was put under her back, and upon her was laid to the weight of seven or eight hundred weight, which breaking her ribs caused them to burst forth of the skin. — Knight's *London*, and Margaret Clitherow, pp. 159, 195.

[14] This would be a Fleming, a native of Flanders, of whom there used to be many in England, for they taught us the art of weaving, and numbers had, no doubt, followed the fortunes of William; but French and Austrians, as well as the Dutch, held parts of the country.

[15] As early as the reign of Henry VIII. Kidderminster was noted for its manufactures. Broadcloth was the principal article then made, afterwards linsey woolseys, and, in less distant times, crapes, bombazines, and poplins were made. In 1735 the manufacture of Scotch carpeting was introduced, and subsequently Wilton carpets with a cut pile, but at present Brussels carpets with a raised pile are the most celebrated of its manufactures. — *Par. Gaz.*

thorow to bed, my sheets no bett^{r} but paid 2^{s} for cleane ones as bad as those I found upon the bed, my chamb^{r} was prety large, but the window had more bars of Iron then quarell of glass but my greatest truble was

That this lodging was over the com̄an prison, and a continuall noyes night and day of there Irons and chanes rattling, so the next morneing about 9 of clock when this displeaseing lodging was unlockd I petition the Tornekey to lie in some other place who churlishly answerd if I liked it not I might goe to the com̄on side,[16] so being no remedy i was content; but found more trubles attending my Apartm^{t} for all comon felons and roags pas^{d} by my chamb^{r} dore to y^{e} chapell each Sunday and the nastiness was emptyed before my chamb^{r} window upon the leads into a place that had a holow pipe to convey it into the cenell the first time the roages pas^{d} I was so curious to peep thorow the key hoale and saw 40 or 15[17] pas by with great irons on both men and women which added to my truble tell I was better accostomed to it.[18]

Thus I continued tell Octob^{r} and then aply^{d} myself for my releasement to the Ld president of the Councell by a Gentleman my great frend and his Honor^{s} Relation who continualy soliseteing

[16] The common side of the prison, the bare threat of which quietened Mr. Abbott, was a den of iniquity, in which he would have had for his companions men nurtured from infancy in the lowest depths of vice and infamy, or transformed into demons by the vilest passions. As there was no classification of prisoners, old and young, healthy and sick, clean and filthy, were all huddled together. Even within the last five and twenty years, those who sought to isolate themselves from the oaths, blasphemy, and indecent conversation of their more hardened companions, could do so only by asking to retire to the solitary cells, the same that were formerly used for condemned malefactors, which were so small, cold, dark, and ill ventilated that Howard describes the boldest criminals as struck with horror and shedding tears when brought into them. —Knight's *London*.

[17] The *MS.* has fifteen, but, no doubt, it is a slip of the pen for fifty.

[18] Newgate was a prison in the reign of King John; but the building in which Mr. Abbott experienced so much discomfort, erected after the great fire in 1666, no longer exists, having been partly destroyed in the Lord George Gordon riots, and partly pulled down to make room for the present edifice, erected between 1770 and 1783 from the designs of George Dance.

and accuanteing his Ldpp with my Cerconstances att last his Ldpp tould his kinsman he would doe me all ye service in his power, but
Charg 2,,10,,0. advized me to pe̅tion the king and anex the Certificat which I had from the Cuntery to ye said pe̅tion and he would delivere it himself, a kindness he said he would do for no body ells but his kinsman, acc̅ordly I got a pe̅tion drawne to this Effect:

To the Kings most Excellᵗᵗ Maᵗⁱᵉ.
The humble Pettion of Ric. Abbott now a
prisonʳ in the Presse Yard in Nugate

Sheweth

That your Pettʳ who for severall years pastᵗ hath beene Sʳvant to
charg 0,,7,,0. the Ld Molyneux in Lancasʳᵉ did upon nottice that a warrant was out aganst him volantarily surrendʳ himself to Mʳ Talor, one of your Maᵗⁱᵉˢ messingrs who brought him up.

That upon his Examination, nothing was found aganst him yet your petʳ (being a stranger) was commited that a further Enquiry might be maide of his cariage, demeanour and caracter.

That your Pettᵒⁿʳ never was in armes eyther by sea or land in all his life haveing beene a servant ever since his years rendʳed capable thereof, and wholy attended his duty therein as by a testimonyall undʳ the hands of divers eminent persons boath Ecclesiasticall and Civill (hereunto annext) will apeare.

And that your Pettᵒⁿʳ haveing no subsistance but his said sʳvice which by confinemᵗ he must unavoidably loose; and haveing expended most of his small stock and destitute of frends heare and hath never acted nor contributed to the distorbance of ye goverment.

Your Petʳ therefore most humbly begs that your Mᵗⁱᵉ will be gratiously pleasd to order his Enlargmᵗ upon Bayle or otherwyse as in your princly wisdome and clemency shall seeme meet.

And your pettionʳ as in duty bound shall ever pray &c.

which was sent away to his Ldpp att which time the king had given

him leave to goe into the Cuntery to Wimlton[19] for his health for 14 dayes, but nevertheless his Honor tooke my papers and sent them by his Secretary to my Ld Nottingham and tould his kinsman that my Ld Nott would do it, so in expectation of a good answere I desisted from trubling his Ld^{pp} for three weeks and more.

And haveing no account I humbly aplyd myself agane to his Ld^{pp} by the interposition of his kinsman to know what progress was made and his Honor sent me word that I should be dischargd in 2 days time to my great satisfaction this was y^{e} 15 day of Octob^{r} (1689) being on a Tuesday: on the Friday following my Ld^{s} kinsmsn came himself to me in prison and tould me that on Monday following i should come out with out so much as bayle. charg 1,,1,,6.

I humbly retornd him all the thanks in the world for all the panes he had taken in his indevours for my inlargm^{t} and desired to be derected by him who I might gratifie of Clarks or S^{r}vants to y^{e} Ld P. he tould me he would he^{ve} me send a Guinee to my Ld's Secretary and I did imediatly which he recevd and sent me word i should be out on Monday morning, this being Saterday at night. I slept but little for ioy, and on Monday morneing got up earely in hops to take the are. About 9 of clock our Maior or keep^{r} came into the preson where I was walking and haveing a paper in his hand I perceaved the Councell seale and douted not but it was his order to discharg me.

But contrary to my expectation he calld me to him and tould me he had receaved an order from the Ld of the Councell to this effect: verbatem

Whereas one Richard Shuttleworth[20] and Richard Abbott

[19] Wimbledon is six miles from London by the Southampton Railway. The principal feature in the parish is the park. The common is surrounded by seats of the nobility and gentry, at the north and east angle of which is the village, consisting of one street containing many respectable houses; and in detached situations are numerous handsome seats and pleasure villas. — Lewis's *Top. Dict.*

[20] See the account of Shuttleworth's seizure, Introduction p. ix.

pd. 5 ginys to keepe irones of.

now prison[rs] in your custody stand chargd before us for high Treason in levying of war against there Maij[tes] and the goverm[t]; these are therefore in his Maj[ies] name to will and require you to detane them ye s[d] Rich: Shuttleworth and Richard Abbott in your said Custodye for the causes afforesaid tell they shall be dischargd by due cours of law and for soe doeing this shall be your warrant.

Whitehall the 19[th] day of Octob[r] (1689).

CARMARTHEN. P.
HALIFAX. L. P. S.
SHREWSBURY.
NOTTINGHAM.
R. HAMPDEN.
RUSSELL.

To the keep[r] of Nugate.

This last warant almost discoridged me from anny further indev[rs] for liberty.

But knowing myself innocent I sent copies of boath my Comitm[ts] to Councell the 2[d] weeke of y[e] tearme and there opinion was that the warants not specifiing to stand chargd upon oath I might sue for a habias corpas, and that my case was baleable.

Mich. Tearm 89. [In the *MS.* Mich. Tearm is written in pencil.]

The last of October I sent to S[r] Charles Ingleby[21] who apointed me Councell and his owne Clark the Attorney and desired them to move for my habias corpas which they did the first day of Novemb[r] and it was granted and my Attorney brought it to Maior Richinson y[e] 2[d].

That day I sent word to frends to desire them to stand for my Bayle, and prevald with foure sufficient housekep[rs], but fereing anny obiections should be, a Gentleman procurd me 2 more of his

[21] Sir Charles Ingleby, of Lawkland, a barrister of Gray's Inn, had been baron of the Exchequer in the reign of James II. He was descended from Sir Thomas de Ingelby, justice of the King's Bench in 1377, and Catherine Ripley his wife. In 1680 he had been accused of subscribing money to bring about the murder of the king, by Bolron and Moubray, two mischievous informers, who would have rivalled Oates, if the Yorkshire juries had not refused to believe them. — Foss, vol. iv. p. 62; *Depositions from York Castle*, vol. xxvii. p. 49.

owne accuaintance who was all willing and sory for my long impresonm^{t}. The fore retorned to the kings Sol^{r} M^{r} Arron Smith was

M^{r} John Sharples
M^{r} Goreing
M^{r} Turner
M^{r} Clayton
} housekeep^{rs} [22]

and haveing ingadg'd my bayle to be at Westmst [23] by 9 of clock the 4th of Nov^{r} where I was caryed by my Habias Corpas in a coach with 2 keep^{rs} and put in the box, but the Attorney Gen^{all} not being there, my Councell thought it not convenient to move, so expected so long that the Court rose and so i went back to Nugate and lost that labour and charg.

The 6th haveing ingadged all my Bayle to be there I went a 2^{d} time in y^{e} like man^{r} and my Councell moveing that I was brought up and bayle in court and that they humbly desired it might be excepted, and conceaved that the latter commitment not specifiing that i stood chargd upon oath i might be admitted bayle.

So i was in great expectation att last one of the judgs asking the soliseter if he was satisfide that the bayle was good,

he answerd

That my Comm^{t}m^{t} being for high Treason, I could not be admited that liberty.[24]

[22] I have no doubt that these were Liverpool men, though they might be settled in London; for in the *History of Liverpool* we meet repeatedly with those surnames. A *Cuthbert* Sharples was mayor in 1699; a Thomas Clayton in 1680, and a William Clayton in 1689. Syers mentions a Mr. George Goring, as having had a summer cottage in Everton, which gave rise to a lawsuit between him and Mr. Case, another Liverpool celebrity. — Syers' *Everton*, p. 178.

[23] The Courts held at Westminster are the Queen's Bench, the Court of Exchequer, the Court of Common Pleas, the Lord Chancellor's Court, and the Rolls Court. This spot has been the seat of justice for nearly a thousand years. — Knight's *London*.

[24] Aaron Smith was at this time Solicitor of the Treasury, "It was the business of that officer to conduct political prosecutions, to collect the evidence, to instruct the Counsel for the Crown, to see that the prisoners were not liberated on insufficient bail, to see that the juries were not composed of persons hostile to the government." It will not excite the surprise of the reader to find bail refused by this "acrimonious

Judg's
Ld C Justice
hoult
J. Dolbin
J. Gregory.

And soe he read the Retorne of my Habias Corpas and I was orderd to be remanded by the Court back to Nugate (the 2nd time) and put within the Iron dore in the press yard and thus all my

The charg of my Habias Corpos: Councill and fees to the maior 6,,13,,0.

expectations was crost without any further hope of inlargmt tell my triall which there was no present prospect of at that time,

but well knowing that I had not any Gilt of me or acted anything aganst the Goverment I was very desireous to know if there were no effectuall means to recover my liberty, and speakeing to my Attorney; he tould me not tell the tearme folowing, and thus affter a great expens I was forsd to desist, and make it my indevours to be as easey and contented as posible i could in such a condition.

Some dayes affter came to see me ye Gentleman that had so much indevoured for to satisfie ye Ld president of my hardsp.

And tould me that speakeing to my Ld, his Ldpp tould him great mattrs aganst me was aleadg'd, and that I was in the numbr of those whome the Attorney Genrall was to appoint a triall, and sd that it could not be long before i might expect to have my owne.

charg
s.
10,,0.

Then I made my whole indevours to gett my Certificat from my Ld Nottinghams office, thinking it nessessary and that it might prove for my advantage, but it was not to be found.

Before I had taken out a Copie and a Clarke transcribed it, and could swere it a true copie, which was as foloweth:

Liverpool, August ye 4th 1689.

The Copie of my Certificat.

We whose names are subscribed doe certifie that wee know Mr Richard Abbott who for seven or eight years last past has served the Right Honrble Caryll Ld Viscount Molyneux. And that dureing the whole time of our accuantance with him

The saide Mr Abbott has caryed himself as a person of a modest,

and unscrupulous politician," as Lord Macaulay admits him to have been, "who had been the legal adviser of Titus Oates in the days of the Popish plot, and who had been deeply implicated in the Rye House plot." — *History of England*, vol. iv.

peaceable, and inoffensive behaiviour, nor has he (to the best of our knowledge) beene any wayes concearnd as a souldr or otherwise in any of the late raised Regiments.[25]

THOMAS TYRER Maior
JOHN CHORLEY, Alldrman
JAMES PRESCOT Alldrman
OLIVER LYME Alldrman & Controuler of the Custom House
THO: JOHNSON Alldrman
RICH:WINDLE Alldrman
WILL: ATHERTON, RICH: RICHMON } Ministrs.

Vera Copia Orig Surtificat 1:0:6.

DAN: DANVERS
RICH: SEDAN
HEN: HIGINSON
ALLIXANDR NORIS } Marchants.

Affter I was committed to Nugate and my Certificate comd to my hand, i gott a Gentlewoman of my accuants well knowne to

[25] The influence of Lord Molyneux must have been exerted to procure this certificate, which bears the signatures of the most influential men in the town of Liverpool at that epoch. Thomas Tyrer was the actual mayor who had apprehended him. Thomas Johnson had been bailiff in 1663, and mayor in 1670. John Chorley had been mayor in 1678. Richard Windle had been bailiff in 1699, and mayor in 1681. Oliver Lyme had been mayor in 1685. On the 14th of August, 1687, James II. having received information of the "misbehaviour" of Oliver Lyme, deputy mayor of Liverpool, and Silvester Richmond, a justice of the peace there, ordered their removal from their offices in the town of Liverpool; but both were reinstated after the Revolution. James Prescot had been mayor in 1687. Alexander Norris had been bailiff in 1685, and died whilst holding the office of mayor in 1694. Henry Higginson had been bailiff in 1671. Richard Sedan had been bailiff in 1683.

The Rev. William Atherton was one of the first two Rectors of Liverpool, appointed June 24th, 1699, when, by virtue of an Act passed in the preceding year, Liverpool was made into a separate parish independent of Walton. He was succeeded in 1700 by the Rev. *Henry* Richmond. The substitution of Richard, for Henry, Richmond hardly offers a difficulty, for Atherton in some works bears the Christian name of Henry, though in the Act he is named William. — *Hist. Liv.* Brooke, p. 48; Baines, pp. 337, 339, 356.

the Countes of Darbye to goe downe to hampton court, and humbly to pray her honor to reade the Certificates and speake once more for me to the Ld Nottingham.

Her Ladysps answer was that though she knew the prsons that had subscribed my Certificate she did not know it to be there owne hand; but if i would get a letter from (ye Doctr) she knew his hand and would do me all the srvice in her power, which lettr I could not obtane.

28th Novmbr being ye last day of the tearm a great maney presonrs was bayld out, that gave me an oportunyty to remove my Chambr ganeing the maior concent: by my humble aplication to himself; so the 29th i removed to a good and convenient Chambr fit for a cristian to lye in: affter haveing layne foure months in a miserable place 5 pare of stares high, within the City prison; but now within the liberty of the press yard; and three of us pd thirty shillings wickly for so bad a lodging;[26] where I had not beene above three weeks but I had got a violent could, and haveing a ague fitt,[27] I desired the advice of a phisisyon that was presonr who tould me it was convenient to take somthing (which if he pleasd to derect) I promisd to observe.

So he sent to the apothecary (but first let me blud) to bring me tow or three doses of physick; and gave me his derections which I observd as well as convenience would permit for 14 days with a very good effect.

[26] The charges in gaols were deemed so excessive that, by the 32nd of George II., a penalty of fifty pounds to the person injured was imposed on any gaoler or keeper who should demand fees not set down in a tablet, signed by the justices, and afterwards confirmed by the judge, and judges of assize, and justices, and hung up conspicuously in the prison.

[27] Howard remarks, in 1777, that the builders of old Newgate seem to have regarded, in this plan, nothing but the single article of keeping prisoners in safe custody. He describes the rooms and cells as so close, as to be almost the constant seats of disease, and sources of infection, to the destruction of multitudes, not only in the prison, but abroad. His fears regarding the new building were justified by the breaking out of a contagious fever, at the commencement of this century. Though much improved since the days when Mr. Abbott experienced its discomforts, it still bears the stigma of being one of the worst managed prisons in this country.

The docter gave me his advice but the Apothecary's bill came to £1 : 5 : 6.

After this I found myself prety well, but for a swiming in the heade, which continued long affter; all my indisposition i imputed to a violent could, and for want of sleep.

The 5th of Decembr I sent a pettion of my owne hand to the Ld president as foloweth:

To the Right Honorable Ld President of his
Maiesty's privie Councell and the rest of the Honrable Lds.
The pettion of Richard Abbott who hath
beene long presonr in Nugate

Sheweth

That your Honrs pettonr being very unhealtfull and haveing spent his whole stock to his utter undoing in a long impresonmt Decembr ye 5.

Humbly moves your honer, and the rest of the Right Honrable privie Councell to permitt that your honor's pore pettionr might be inlargd upon bayle

or as your Ldpps shall think fitt and your pettionr
will for ever pray.

The same day a councell advized me to put my prayr in the court the 1st day of the Sessions at the ould balye,[28] being ye 11th for triall, baile or discharg, and tould me the Habias Corpas act oblidged them to try or alow baile or make oath in Court that the king was not readey, i accordingly did and feed Sr Bartholomew Shores[29] to plead and crave the benefit of the act and moved that

[28] The judicial sittings at the Old Bailey are of such high antiquity that we have lost all records of their commencement. It is divided from Newgate by the open area, through which prisoners pass from confinement to trial.

[29] Sir Bartholomew Shower belonged to the Tory party, and was generally employed by Jacobite prisoners. When Holt had been dismissed from the Recordership of London by King James, he had been appointed to succeed him in 1687. Having little favour or preferment to expect from the Whigs, he was fearless in the discharge of his duty to his clients. He was counsel for Rookwood, implicated in the conspiracy to surprise and murder William; and he assisted Sir Thomas Powis in the

my prayre might be enter'd, and had my bayle attending in Court, but nothing being don y^t^ day they aperd the next morneing and my attorney feed another councell and y^t^ being the 13^th^ I was caryed downe to Hicks hall[30] and put to the bar and Major Richinson read y^e^ charg of commitm^t^ aganst me affter which y^e^ Deputy Recorder one Rider sd these words; "Felow, you are commited for high Treason and this court cannot try you, but wee will take care to send you downe to Lancashire where the fact was commited and orderd me back to Nugate where the day folowing Major Richinson sent to me that it was in his power to lay Irons on me; and if I did not pay him £5 then due and consider him allso for omiting that punishm^t^, i might expect it.[31]

Councel fees and chargs on this account 3,,7,,0.

Decemb ye 5th 89. [This marginal note is in pencil.]

The 10^th^ i receved this folowing lett^r^ from my Ld. P. Secretary in answer to my Pe̊tion: y^e^ lett^r^ was to M^r^ W:

Sir,

Haveing layd the inclosd before my Ld, he thinks it not prop^r^ the pettition be to himself but that if you designe to pe̊tion, it

unsuccessful defence of Sir John Fenwick in 1696, who was put to death, writes Lord Campbell, in a manner which would have been condemned in the worst days of the Stuarts. Lord Campbell calls Shower an *absurd* man (*Lives of Lord Chief Justices*, vol ii. p. 108). Lord Macaulay calls him a "base and hard hearted pettifogger," though he admits that he had "some legal learning." He died in 1701.

[30] Hicks Hall was anciently the name of the Sessions house on Clerkenwell Green. About 1778, the old building having become ruinous and inconvenient, a new Sessions house was erected. It takes its name of Clerkenwell, if we may believe the inscription near the public pump, from the parish clerks of London having, in remote ages, annually performed sacred plays around a well near the spot, whose waters were much prized. — Brayley's *London*, vol. iii. p. 554.

[31] Newgate was not the only prison in which ease of irons was purchased from the gaolers: York could boast of a like infamy. The prisoners confined there complained bitterly that they were laid in double irons unless they consented to go to the high tables, and that they were abused unless they consented to purchase the ordinary conveniences and necessaries of life at an exorbitant price. The gaolers demanded money for chamber rent, beds, and bedding, and compelled the prisoners to pay for ease of irons, although they had paid the same to the former gaolers to whom they had been committed: both felons and debtors were lodged in the same room. — *Depositions from York Castle*, published by the Surtees Society.

would be best to the king and councell on thursday next for which i havn allter'd the pe̅tion,

and as to what M^r^ Abbott hath writ below it in iustification of himself it being no answer to what is laid to his charge, my Ld is of opinion that it will be of noe advantage to him I am S^r^

Sidney house, one of the clock.[32] your most humble S^r^vant B. Cooper.

The next morneing I got y^e^ folowing pe̅tion fair writ affter M^r^ Cooper derection, and sent it to my Ld. P. to deliver: it was as foloweth:

To y^e^ King's Most Excellent ma^tie^
and the Rih^t^ Hon^r^ble the Lords of his ma^ties^ most
Hon^r^ble Privie Counc^ll^.
The humble Pett: of R. Abbott, Prison^r^ in Nugate,
Sheweth

That your Pett^r^ being very unhealtfull and haveing spent his whole stock in a long confinem^t^ most humbly moves that your Ma^tie^ and this most Hon^r^ble Board would be gratiously pleas'd to order that your pore pettition^r^ might be enlargd upon baile, &c.
and your Pett^r^ will e̅r pray.

Expecting a good answer of this last, about 2 days after I recev'd this folowing letter from my Ld presidents kinsman:

I know you expected an answer in your bisines from me yesterday, but it could not be though I was twise at Linsey house.[33]

[32] Sydney House, situated in the Old Bailey, was the mansion in which the Earls of Leicester resided, till they removed to Leicester House. It was once the residence and office of the notorious thief and thief detector, Jonathan Wild. Some years ago, it had a noble front supported by two handsome columns with lions rampant, but the lower part of it is now brought to the front of the street. It is a large and roomy yet crowded building inside, having many remains of its ancient magnificence. — Brayley's *London*, vol. iii. p. 69.

[33] Lindsey House was contiguous to the site of Beaufort House, and stood on

To be short my Ld wondrs att your illegall useage & sayes your Councell hath not acted their parts, has apointed me to atend him agane at half an hower past eight this night, and i desire that Sr Charls ingleby Clark will meet me there at that time to give my Ld a full account of ye miscarage, and my Ld saith he will doe his utmost to searve you conceaveing you have the Law on your side

I am and will be your Tru frend

ye 18 Octbr (1689). W. W.

All that this produced was that he ordrd my Attorney to draw tow pettitions, one to ye King and Councell another to Ld Cheief Justice Hoult to pray to be admited Bayle and so he would deliver them himself the next day being ye 19th

To this porpose:

To the King &c.

That your pettitionr has beene detained a prisonr in ye sd Goale of Nugate for above five months under ye charg of high Treason: whereof he is alltogether innocent yet is with out remedy the fact charg'd upon him being suposed to be don in another County and therefore not Triable where he is now confin'd to the uter ruing of your pore pettr, through a long and chargeable impresonmt.

He therefore most humbly prays your Mai. and this Honrble bord that you would be pleasd to ordr his inlargmt upon Bayle to apeare at Lancastr or when calld

and your pettr &c.

That to ye Ld Cheafe Justice was in these words:

To ye Ld &c.

That your pettr haveing presented a pettn to your Lpp & other

ground which is thought to have formed part of Sir Thomas More's domain. It is said to have been built by the celebrated physician, Sir Theodore Mayerne, and to have become the property of the Earl of Lindsey, after his death in 1655. It was afterwards possessed by several families, and about 1750 was purchased by Count Zinzendorf, the Moravian. The old mansion is now divided into several respectable tenements, which bear the name of Lindsay Row. — Brayley's *London*, vol. v. p. 44.

ther Maiestys Com^rs of Goale delivery for the County of Midlesex: to be tryd or bayld according to the Habias Corpas act; your Ld^pp was pleasd to say that if M^r Smith did not produce an inform^n taken before tow justieses of peace, importing a proof of y^e crime wherewith your pet^r stands charg^d or an affida^t that y^e king's witness^es could not be ready then your pett^r should be inlargd upon bayle; accordingly your Ld^pps pett^r did attend y^e last day of ye sessions with his councell but was denide y^e benefit of y^e sd act; though no such information or afid^t as your Ld^pp directed was produced.

He therefore most humbly prays, &c.

The 22^d Decemb^r being Sunday at night I receaved this lett^r from M^r W. who had just receaved it from my Ld. P. Secretary and sent it me by his boy.

Sir,

My Ld tells me that M^r Abbotts expecting an answer to y^e pettition given to the king in Councell is not att all necessary but that he has spoake to Ld Chief Justice Hoult about him who my Ld expects will searve him and therefore desires that some frend of M^r Abbotts may atend his Ld^pp saying he comes from my Ld Carmarthen from whome my Ld douts not he will receave some satisfaction.

I am S^r

Sunday 3^rd Afternoone. Your most humble Se^rvant

B. Cooper.

The 23^d Decemb^r my Attorney went in my Ld Markquās' name to attend y^e Ld Cheaf Justice and pray that I might be bayld; his L^pp sent for M^r Arron Smith to consult about it and comanded my Attorney to come ye next day, and he would satisfie him forther, but it proved a deniall, then my Attorney prayd that I might be sent downe speedily to the County preson: upon ye king's charg: for my condition was not able to pay the great charge of

My attorney fees s d 10,,9

nugate to w^h his Ld^pp answer'd he would grant me a habias corpas if i would bear the charg of going downe but when my Attorney tould me this i thought they might send with me a gard & my circomstance could not maintain it, so i resolved to sit quiet tell y^e Assizes though Major Richinson daly threatened to torne me over to the comon side or lay irons upon me if I did not pay.

The next day being Crismas Eave i writ to my frend M^r W. to let him know my suckcess with my Ld C. Justice who upon y^e receate of myne, went to my Ld P. to accuant him, and tow days affter I receaved this following lett^r from my great frend (and kinsman to y^e Ld President) in answer to mine:

With much truble (Dèar S^r) I receaved your last, and went to accuant my Ld with y^e contents of it who stood amazed to heare things fell out so unluckely and contrary to his expectation; and he asked me hastily and earnestly who was sent to my Ld Cheaf Justice about it. i tould him that you sd you thought S^r Charles Ingleby would und^rtake it

it was not Sr Charls but the Clark that was with Ld Chief gustice.

at which my Lds coler rosse, and in some passion he sd that he thought y^e papists were y^e worst manag^rs of there owne concearns in the world; for sd he none but a madm^n would have und^rtaken such a message in his cercumstance, haveing beene one of the late Judgs and more obnoxtious to the gov^rm^t than Abbott: he might have beene sure continued he that the Chief Justice would show no favour in behalf of such a soliciter,[34] and much

[34] If the Earl of Clarendon, as he records in his Journal, found the Lord Chief Justice very snappish, we must not be surprised that the solicitor of a servant of Lord Molyneux, failed to find him very gracious. Notwithstanding the high praise that has been given by political historians and biographers to Chief Justice Holt for vigorously supporting the rights and liberties of the subject, it is to be feared that, if his staunch adherence to the Whig cause did not interfere with the course of justice, it helped to check the flow of mercy. Whilst he rose superior to the intemperance and brutality which had disgraced criminal proceedings in former reigns, he did not hesitate to interrogate prisoners during trial, with the hope of entrapping them into a fatal admission, or involving them in a contradiction. In the Aylesbury case even his eulogist allows "that he was carried too far by his Whig zeal against a Tory House of Commons," and "that he was tainted with the rage against Popery, from which no

more not propr to incert; when he was a little cooler he sd there was no man more proper to have gon then the Clark that was with him being a good sensible felow, and one that the Chieaf Justice could not have excepted aganst:: sd he when the king is at Councell i sit at the cornr of the table and the king at ye end cloase by me, and thus seated I becconed at my Lord Cheaf Justice to com to me which accordingly he did and I spoake so loud that the king planely hard what we sd; i tould him the whole bisiness as you had relatted to me what had past att ye ould balye.

Then the king sd my Ld it is but justice that he should be bayled if he have proceeded according to law.

Then I asked my Ld Cheaf Justice if I might send a person to him about Abbot when you have recolected yourself. he answerd if you pleas you may, and so it ended.

Then my Ld sd, i will ventr once more to speak ye next Councell day to my Ld Cheaf Justice, and know his reason of this deniall and comanded his secretary to put him in mind of what you desire. Therefore send me 2 lines, and I will give them to Mr Cooper and notwithstanding all these trubles, i will never be danted from at least indevouring to srve you to the powr

of W. W.

My humble request that I returnd was: that I might be admited to bayle, to apeare at ye Assizess, or if that was not allowd: to surrendr myself in ten days to ye Goaler Costody: and if not permited that favour to be sent downe by one man: and I would beare his charg as pore as I was; for I was not able to live in Nugate, and if I paid not i should be turnd from ye press yard amongst the theavs to lie on the bords on the comon side, and allso the Major threatend that he should be pd to keep irons of my legs, (which I

patriot was then free." In the reign of James he had been made Recorder of London, but was subsequently dismissed: by William he was made Lord Chief Justice, and took his seat on the bench at Easter Term in 1689. He died on the 5th of March 1710, in the sixty-eighth year of his age. — Lord Campbell's *Lives of the Chief Justices of England*, vol. ii.

writ) and that it was very hard being innocent, and haveing prayd for my tryall and that I neyther could be tryd, bayld nor dischargd.

The 12th day after Crismas being the 6th of January my Ld sent to me to get my proceedings undr Councell hand and sd that would not faile to get me out, and so I sent & got the case statted and sent it to Sr Creswell Lievins;[35] but my Attorney being afrade of reflecting of the Court yt denide me bayle put the case in this folowing maner:

Mr Abbott was taken in Lancr by a mesingr; brought up to London in Custody and commited to Nugate for leviing war aganst the govermt, and according to the tenor of the Habias Corpas act pettions the 1st day of the next sessions of Goale delivery for the County of Midlesex to be tryd which prayr was by order of Court recorded, and the last day of that sessions there being no persecution moves by his Councell to be admited to bayle as the sd act directs.

Quere 1. Whether ye presonr is calpalble of the benefit of ye act, act of Habeas Corps notwithstanding the fact is suposed to be commited in another County then where he is prisoner and maks his prayr.

Quere 2. Admiting he were uncalpalble for that reason whether a bare suggestion of the fact being comited in another County without oath be made be sufficient to deprive him of the benefit of ye act.

[35] Sir Creswell Levinz. It is curious that Abbott did not write his name accurately, as he must have had before him Sir Cresswell's own signature to his answer to the questions submitted by the attorney for his opinion. He was Attorney General in the reign of Charles II., and afterwards one of the justices of Common Pleas, from which station he was displaced in the reign of James II. for opposing the dispensing power. He then retured to the bar, and was one of the counsel for the seven bishops. He had great knowledge and experience of his profession, says Lord Macaulay, but was deficient in moral courage, though he probably had enough to save him from being made subservient to the interests of a party, and so was not restored to the bench under William. — Lord Campbell, vol. ii. p. 48. Brayley's *London.*

Answer. Iff the fact were committed in another County then where the party is in preson, I conceave the Judgs or Justicess of the Sesstions where he is in preson are not bound, though he pe̅tions the 1st day of the sessions to bayle him the last day of the sessions for want of an inditemt, becase he could not be indited in that county. Creswell Levins. A giney fee.

But in such case he ought to be sent to the County prison where the fact was commited that there he may make his pe̅tion and be indited or bayld for want of inditemt.

But if no place where the fact was commited be expressd in the warant, then I conceave the Court cannot take notice, that it was don in another County upon a bare affermation without some oath, for Courts doe not regularly trust informations without oath.

And the Statute itself that excuesess the Judges from bayleing where there is no inditemt does it upon oath made that the wittnessis for the king could not be produced that sessions.

So in this case without an oath of the fact being comited in another County, the Court cannot take notice of it but the party ought to be bayld.

6th January (89). CRESWELL LEVINS.

This opinion I sent as my Ld Marques desired to Mr W. with my lettr as foloweth:

Sir,

Though it be ye opinion of the Lawyers amongst the rest Mr Srgant Levins (whose opinion I have sent you) that i have met with hard measures, yet i thought to decline all further truble, and not in the least to reflect of ye Court: but wholy to aquiese; being allso afrade you would quite Tyre out my Ld Marquis' patience; but his honer derecting this way of proceeding, i have in obedience thereto sent you Judg Levins opinion; with other papers meteryall to prove my not onely being innocent, but the great charg of so long impresonmt, Counsell fees, and other Expencess; which hath exausted me of all that I have got in 14 years service: to my

utter ruing: and have no other hopes but in my Ld Marques Left; in whose power it is to send an order to Mr arron Smith to concent to my being bayld or at least sent downe to the County preson: I hope when you have Laid this before his Honer att last my condition will be considered.

and Sr for yor constant indevours to your pore oblid Srvant, which is all in my power

I shall for ever pray

Janu ye 6th (89) R. Abbott.

Nugate.

A giney fee for going to the Judgs Chambr.

The 17th of January my Ld deliverd Sr Creswell opinion to my Ld Cf Justice. ye 19th I aply'd myself to know his Ldpps answer, which was that he desir'd to discours my Councell, and if hee was convinced that it was Law, he would yn bayle me. accordingly Sr Levins was[36] free to attend his Ldpp at his Ldpp's Leasure: but his Ldpps answer was I might move ye Court.

upon the 4th of Feb. My Ld President sent his secretary to the Attorney Genrall to desire him to doe me what kindnes the Law would alowe,

so upon the 8th of Feb: Councelr freeman moved for my habias Corpas which was granted.

Feb: ye 12th (89) Hilery Tearm. (89).[37]

I was bayld out of Nugate: the charg. 09:14:00

I was bound to apeare at Lanctr in £3000. 4 protestant bayle and was to apeare the 1st day of the Assizes held March ye 31st in 1690.

The names of my bayle

Mr Hen: Mosley Marchant in Good Man's Feelds.[38]

[36] *was* is repeated in the *MS.*, clearly a slip of the pen.

[37] Hilary Tearm (89) is written in pencil.

[38] Goodman's Fields, London, now consist of several handsome and broad streets, but were formerly a farm belonging to the Minoresses of St. Clare. Stowe says that when a boy he bought milk there, never receiving less than three ale pints in summer,

Mr Mawrisce Tipper Confectionr in Stocks Market.[39]
Mr Wichrley of Convent Garding,[40] Woling Draper.
Mr Goreing of[41] King Street in Westminster, Vintner.

Fees to Maior Richinson for Lodging	14	7	0
To ye Tornekeys	05	0	0
Expencess for meate and drink	11	6	0
Expence upon my bayle	00	15	0
Coach hire	2	0	0
Chargs downe	1	2	0
Chargs in all at London as apeares by bill	95	12	6

March ye 31st (90).

I apear'd at Lancastr according to my Recognizance Taken at Westminstr Candlemas Tearme. Feb: ye 12th (89) at ye sd assizess an Inditement was found aganst me but procureing favour I travers'd the inditemt and gave £2000 bayle to try the Travers ye Assizess folowing.

Ye carg at ye sd assizess.

For Traversing fees	1	3	6
For a copie of ye inditemt.....	0	6	0
To ye Clark of ye Crowne	2	0	0
For entering new Recogsane	0	18	0
To the Marshall..	0	05	0

nor less than one ale quart in winter for a halfpenny, always "hotte from the kine, as the same was milked and strained." A farmer of the name of Goodman afterwards purchased the farm, and gave his name to the property. — Brayley's *London*, vol. iii. p. 133.

[39] Stocks Market had its origin in 1282, when Henry de Wallis, then Mayor, built a market for fish and flesh, for the maintenance of London bridge, on a piece of vacant ground near Woole Church. A pair of stocks for the punishment of offenders, that stood near the spot, gave the market its name. — Brayley, citing Stowe.

[40] Covent Garden anciently belonged to the Abbots and Monks of Westminster, whence it derived its name, Convent Garden. At the dissolution of religious houses it fell to the Crown, and was given to Edward, Duke of Somerset, and after his attainder, to John, Earl of Bedford. — Brayley's *London*, vol. v.

[41] *of* is repeated in the *MS.*

To the Cryer	0	05	0
To Mr Entwisle	1	00	0
To Mr Greenefeld	1	0	0
To Myles Gerard	0	10	0
To M Ashton & Tomlinson	0	10	0
Chargs Man and hors	1	7	0
Totall	9	4	6
With Charg at London amounts to	106	12	0

here folowes a Copie of the discharg of my Bayle above: undr the hands of ye Clark of the Crowne:

These are to certifie whome it may concearne that Richard Abbott, Gent: apeard att the Assizess houlden for the County of Lancastr upon a Recognizance retornd from the Cot of Kings Bench; and hath enter'd into new Recog: to apere att the next Assizess.

And thereupon his former Recognizance was discharg'd.

Datted at Lancastr ye
3rd day of Aprill (1689).[42]

Thomson Deput: Cle
Vera Copia. Coron:

This is a true coppie of the bale bond signed ye 28th of Aprill (1690).

Noverint universi per præsentes Ricardum Abbott de Croxteth in Comitatu Lancastriæ gen: et Georgium foxcoft de vila Lancrie in Com Lancr gen: teneri et firmiter obligari Wilmo Simson de fflookburgh in Cartmell in Com Lancrie gen et Johani Marshall de Dalton in ffurneis in Com Lancrie p̃d gen in mille libriss bonæ et Legalis monetæ Anglie solvendȝ eisdem Willo Simpson et Johani Marshall aut suo cer9 in hac pte attornat executoribus administratoribus vell assignat suis ad quidem soluconem bene et fideliter faciendȝ obligamus nos et utrumq; nr̃m per se pro toto et in solid

[42] This should be 1690, but it is 1689 in the *MS.*

hered executoř et administrs nřos firmiter per presentes sigillis nris sigillat datȝ quarto die Aprilis Anno R Reg̃s Willi et Marie Angl' &c sc̃do. Anoq Dom̃i 1690.[43]

Translation of the Bond.[44]

Know all men by these presents that [we] Richard Abbott of Croxteth in the county of Lancaster gentleman and George Foxcoft of Lancaster in the county of Lancaster gentleman are held and firmly bound to William Simson of Flookburgh[45] in Cartmell in the county of Lancaster gentleman and John Marshall of Dalton in Furness in the county of Lancaster gentleman in the sum of one thousand pounds of good and lawful English money to be paid to the same William Simson and John Marshall or their certain attorney in this behalf their executors administrators or assigns for which payment to be well and truly made we bind ourselves each of us in the whole and entire sum our heirs executors and administrators firmly by these presents, sealed with our seals. Dated the fourth day of April in the second year of the reign of King William and Queen Mary &c. and in the year of our Lord 1690.

The Condition of this obligation is such that whereas the above named Will: Simson and John Marshall at the request of him the above bounden Richard Abbott doth stand bound by Recognizance taken this Assizess for the personal apereance of him the s^{d} Richard Abbott at the next Generall sessions of assizess to be houlden for the County of Lanc^{r} in five hundred pounds apeice to answer such matters as shall then be objected aganst him and performe

[43] The contractions used in the *MS.* have not been copied throughout in the text.

[44] The translation of the Bond does not occur in the *MS.*

[45] Flookborough is a fishing village in the township of Lower Holker and the parish of Cartmel, in the hundred of Lonsdale north of the Sands. It was formerly a market-town, holding a charter granted to the Prior of Cartmel by Edward I., which, after the dissolution of the priory, was removed to Cartmel, famous for the manufacture of coarse woollen cloths to which it gave the name of Cartmels.

what the Court shall enjoyne him if therefore he the s^d^ Richard Abbott do and shall according to the tenor of the s^d^ Recognizance appear att the s^d^ next generall sessions of Assizess and answer what shall then be objected and Laid aganst him, and free his s^d^ suretyes from such recognizance as afores^d^ and save and keepe harmeles them y^e^ s^d^ Will Simson and John Marshall their heres executors and administrators and every of them of and from all Losse costs Chargs Truble and damage whatsoever which may falle, hapen or Come to them or eyther of them for or by Reason of y^e^ s^d^ Recognizance or y^e^ not apereing of the s^d^ Richard Abbott at the time Limited Thereby That then this present obligation to be void or els to remane in force.

This is a True Copie of the originall bond examined the 28^th^ of aprill (1690) by

THO: BOOTLE.
OLIVER PRESCOTT.

A copie of y^e^ / Inditment.

Lanc̃: *ff.* Jurator pro d̃no Rege et d̃na Regina sup̃ sacrum suum p^r^sentant^9^ qd Ricus Abbott nuper de Croxteth in Com Palat^9^ n Lanc̃ generosus timorem Dei in corde suo non h̃ens sed existens persona prave turbide false et seditiose dispositionis debitum Legiancie sue minime ponderans sed machinans et malitiose impie et seditiose intendens pacem et c̃oem tranquilitat huius Regni Anglie p̣turbare et destruere ac Rebellionem, bellum et tumultus infra hoc Regnū Anglie et infra Regnū dictorum D̃ni Regis et D̃ne Regine Hib̃nie suscitare fovere et promovere ac̄ Gub̃nationem dictorum D̃ni Regis et D̃ne Regine necnon personas eorundem Regis et Regine nunc suprem et indubitat D̃ni et D̃ne suorum in extremū periculum ducere ac Statum hujus Regni Angł et res in eod̃m Regno gestas hostibus et inimicis dictorum D̃ni Regis et D̃ne Regine perfidiose et malitiose prodere et noticiam facere ac hostes eorundem D̃ni Regis et D̃ne Regine in bellis suis contra eos-

dem Regem et Reginam assistere et supportare ipe predictus Ricus primo die Julij Año Regni dictorum Dñi Regis et Dñe Regine nunc primo apud Croxteth prdicto in Com Palatin prdicto machinacõnes et intentiones suas predictas perimplendas et perficiendas et ad effectum redigendum cum quodam Willo Bromfeild subdito dictorum Dñi Regis et Dñe Regine se assemblavit et eundem Willim Bromfeild extra hoc Regnū Anglie ad Hiberniam ad tunc et ibidem illicite et seditiose misit et mitti et transportari causavit et procuravit ad assistend et supportand Jacobum secundum nuper Reg̃m Anglie et alios hostes dictorum Dñi Regis et Dñe Regine nunc cum eodem Jacobo congregat jur prd Ignot in bellis suis contra eosdem nunc Dñum Regem et Dñam Reginam per dictum Jacobum et alios hostes predictos ad tunc gest levat et crudeliter prosecūt et quo magis secure incognito et Clandestine idem Willus Bromfield extra hoc Regnū Anglie ad Jacobum et hostes prdcos evaderet ac iter ad prposita predicta perimplenda performaret ipse predictus Ricus Abbott Perucam Anglice the Periwick ipsius Rici Abbott eidem Willo Bromfield ad tunc et ibidem dedit et deliberavit ad ipsum predictum Willim Bromfeild dissimuland Anglice disgise, ac ulterius ipse predictus Ricus Abbott ad machinacõnes prædictas perimplend diversas chartas imprimatas vocat London Gazets per ipsum Ricum Abbott collectas ad tunc et ibidem eidem Willo Bromfield dedit eidem Jacobo deliberand et per eundem Willim Bromfield dicto Jacobo deliberandum misit ad statum huius Regni Anglie et res in eodem gestas eidem Jacobo et aliis hostibus predictis prodend et notas faciend et hostes predictos in bellis suis contra dctos dñm et dñam Regem et Reginam nunc assistend et supportand contra legiance sue debit ad magnam pacis dcor Dñi Regis et Dñe Regine pturbacõem et contra pacem dcor Dñi Regis et Dñe Regine nunc coronam et dignitatem suas &c

Exa p A Rigby Cle. Coronæ.

Translation of the Indictment.[45]

Lancashire } *to wit* } The Jurors of our Lord and Lady the king and queen, upon their oaths do present Richard Abbott late of Croxteth in the county of Lancaster gentleman, for that he not having the fear of God in his heart but being of a wicked turbulent false and seditious disposition, not regarding his allegiance but contriving and maliciously impiously and seditiously intending to disturb and destroy the peace and common tranquillity of this realm of England and to stir up, excite and promote rebellion war and tumults within this realm of England and within our said lord and lady the king and queen's kingdom of Ireland and the government of the said lord and lady the king and queen and the persons of the same king and queen the supreme and undoubted lord and lady thereof to bring into extreme peril, and the state of this realm of England and the matters there transacted perfidiously and maliciously to betray and make known to the enemies of the said lord and lady the king and queen, and the enemies of the said lord and lady the king and queen to assist and support in their wars against the same king and queen, he the aforesaid Richard on the first day of July in the first year of the reign of the said lord and lady the now king and queen at Croxteth aforesaid in the aforesaid county palatine his machinations and intentions aforesaid to fulfil perfect and bring to effect did join himself to one William Bromfield a subject of the said lord and lady the king and queen and the same William Bromfield then and there unlawfully and seditiously did send and cause and procure to be sent and conveyed out of this kingdom of England to assist and support James the Second late king of England and other the enemies of the said lord and lady the now king and queen to the jurors unknown and with the same James assembled in their wars then levied and cruelly carried on against the same lord and lady the now king and queen by the said James and other the enemies aforesaid and that he the

[45] The translation of the Indictment is added: it does not occur in the *MS.*

said William Bromfield might the more effectually and clandestinely escape out of this kingdom of England and accomplish his voyage to the said James and the enemies aforesaid and carry out the purposes aforesaid he the said Richard Abbott did then and there give and deliver to the said William Bromfield his peruke or periwig to disguise the same William Bromfield, And further that he the said Richard Abbott the aforesaid machinations to fulfil did then and there give the said William Bromfield certain printed papers by him the said Richard Abbot collected and called the London Gazette to be delivered to the same James and by the same W^m^ Bromfield did send them to be delivered to the said James the state of this kingdom of England and the things therein done to betray and make known to the said James and other the enemies aforesaid to assist and support them in their wars against the said lord and lady the now king and queen contrary to his allegiance to the great disturbance of the peace of the said lord and lady the king and queen and against the peace of the said lord and lady the now king and queen their crown and dignity.

Ex^d^ by A. Rigby, Clerk of the Crown.[46]

At y^e^ sum^r^ sizes held in the year (1691) I did apere at Lancast^r^ where I was Call'd (and Try'd y^e^ Travers) and by y^e^ Jury brought in not Gilty so was discharg'd paying Fees which Cost me 12^l^ od money and my Counsell M^r^ Entwisle[47] ffarther advized me to pray

[46] Alexander Rigby Esq., who resided at Layton Hall, near Blackpool, was Sheriff of Lancashire 1691–2. The sacrifices of this family in the royal cause had so impoverished him that he was compelled to dispose of the Layton property for the benefit of his creditors at the sum of 19,200*l.* He was also imprisoned for debt till released by an act of parliament in 1714 (1st George I). His arms, of the date 1693, may yet be seen at his house on the south side of the market-place at Poulton-le-Fylde, where he resided after the sale of the Layton Hall estate.—Thornber's *History of Blackpool*, p. 66.

[47] This would probably be Bertie Entwisle of Wigan (son of John Entwisle of Foxholes, Esq.) who married Clarissa, daughter of John Chorley of Ormskirk. He

a discharg by proclamation which the Court did ffreely alow me the Judge was S[r] Will: Dolbin :[48] soe I was att Length ffree ffrom Truble to my great Satisfaction.

was Vice-chancellor of the Duchy of Lancaster, and died Recorder of Liverpool in 1709.—Baines's *History of Lancashire*, vol. iii. p. 95; Brooke's *Liverpool*, p. 203. I find, however, several warrants addressed to the constables of townships signed by J. Entwistle, bearing date 1676 and 1679, so that it is difficult to say whether the father or son was counsel for Mr. Abbott, as he does not give the Christian name of Mr. Entwisle.

[48] Sir William Dolben was one of the Judges of King's Bench in the reign of William and Mary.

AN ACCT.

OF THE

TRYALLS

AT MANCHESTER

OCTOBER 1694

Of Caryll Ld. Molineux, Sr Wm Gerrard,
Sr Rowland Stanley Barrts, Sr Tho: Clifton Barrt,
Bartholomew Walmesley, Wm. Dicconson,
Philip Langton Esqres and William
Blundell Junr Gents, with
observat'ons.

PRINTED FOR THE CHETHAM SOCIETY.

M.DCCC.LXIV.

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INTRODUCTION.

THE Lancashire plot was a supposed conspiracy of Lancashire gentlemen, between the years 1689 and 1694, for the restoration of the House of Stuart. The evidence produced in favour of its reality, was of the same character as that which had been deemed sufficient to prove the existence of previous plots, and if the informer Lunt was less successful in his villainy than Oates, it was not for want of the countenance of Government. Sir John Trenchard, who had been associated with Nottingham as Secretary of State in 1693, encouraged tale bearers to come to Whitehall with reports of conspiracies; and his office was haunted by heartless vagabonds, who fattened on the spoils of those whom they first seduced and then betrayed.

Through life he had been a violent politician, and was excepted by name from the general pardon of 1686; but, at the intercession of Penn, he had been allowed by James II. to return from exile. Whilst his colleague, on whose integrity William, the reigning sovereign, placed great reliance, attended to the graver affairs of State, Trenchard was little more than a superintendent of police, at whose office there

was a constant stream of informers coming in, and of messengers with warrants going out. He belonged to the extreme section of the Whig party, and was closely connected with a set of men, whose passions were fiercer than his own. Amongst these were Hugh Speke, whose sister he had married, capable of any villainy that was false enough, and Aaron Smith, an acrimonious politician, in whom the fanatic and the pettifogger were strangely blended. The latter had been the legal adviser of Titus Oates in the conduct of his plot, and had himself been deeply implicated in the Rye House plot. It was probably this double infamy that recommended him to the office of Solicitor to the Treasury, to which he was appointed in 1689. As it was the business of his office to conduct political prosecutions by collecting evidence, instructing counsel, and preventing the introduction into juries of persons hostile to the Government, he had ample opportunity of gratifying his political spite by crushing those who were obnoxious to his party. This minister of justice, to whom, says the Whig eulogist,[1] a hunt after a Jacobite was the most exciting of all sports, had made himself so sure of his prey on this occasion, that warrants for the execution of the prisoners were signed, and directions given for their execution to take place three days after their conviction.[2] But the people had grown weary of the bay of Whig bloodhounds, and the integrity of a Manchester jury saved the county from legal plunder and judicial murder.

The property of the Lancashire gentry had long excited

[1] Macaulay, vols. iii. iv. vi. vii.

[2] Wagstaffe, cited in Introduction to the *Jacobite Trials*, p. lxxxvi.

the cupidity of hungry Whigs. In February,[3] 1692, the Lords of the Treasury granted to Mr. Peter Stepkins, Mr. Peter Godard, and Mr. Nich. Hall a full third of lands, tenements, and sums of money within the Kingdom of England, which they should prove to have been given to superstitious uses.[4] By other articles it was covenanted by these harpies that their third should be subdivided into other three parts, one of which had to be held in trust for Sir John Guyse and Sir Scroop Howe.[5] They further agreed to pay to one William Wybrants, who had to bear the expenses of executing the commission, 10*l.* for every 100*l.* so granted, and 100*l.* for every 100*l.* per annum in land. Lord Monmouth gave Stepkins 500*l.* for a moiety of his third, and Captain Baker had to receive a moiety of the remainder for introducing Stepkins to Lord Monmouth. Goddard and Dockwray gave Stepkins each 200*l.* for a sixth part each of the other moiety.

A Commission under the Great Seal was issued 22nd March, 1692, and sat at Warrington on the 4th of May in the following year, for the discovery of property left or given for superstitious uses. But the result did not answer the expectation of these political cormorants, who had settled by the above articles of agreement the share of the anticipated booty which each had respectively to receive. The defendants not only denied the allegations of the witnesses against them, but produced such proofs

[3] 27th Feb., 1692, *Jacobite Trials*, p. 1.

[4] 6th March, 1692.

[5] 9th March, 1692.

in defence of their denial that the Attorney General did not venture to bring the cause to a hearing.

Though baffled, the greedy adventurers were not discouraged. Schooled by failure, they set to work anew; and in order to make more sure of their game, they determined to remove the gentlemen whose estates they coveted, by swearing against them such things as would maintain an impeachment for high treason. The stake was high, and they resolved to play a desperate game. The success of Oates in a former reign offered an example and encouragement, and they determined to alarm the nation with the announcement of the discovery of a plot for the murder of William, and the restoration of James.

One Lunt was selected as the fittest tool for this nefarious job. He was an unprincipled vagabond, willing to serve or betray any party for hire. He was not only the associate of highwaymen, but had made money by the same calling, whilst his private life was stained with the foulest crimes. Smollet says that he was an Irishman; the name, however, is not uncommon in Lancashire: but, wherever born, he seems to have grown in obscurity till wanted for the occasion — like those loathsome creatures that lie hid in foul waters until their depths are stirred, when they float to the surface. Our earliest acquaintance with him is at Highgate,[6] where he earned twelve pence a day as a labourer. He subsequently rose to the rank of coachman, then to be a licensed victualler at Westminster, and at the time of these trials he

[6] Introduction to the *Jacobite Trials*, pp. lxx. lxxix.

had a footman to attend upon him, and was living at the rate of a thousand a year. His unblushing effrontery and reckless lying, seem to have especially fitted him for the part he had to play. None but a corrupt Government would have availed itself of such an instrument; but there are circumstances connected with his history, which render it by no means improbable that he was employed as a decoy, at least by its subordinate members. His arrest for treason, and subsequent discharge, on the ground that there was not legal proof of guilt, bear the appearance of a collusion between him and Government, which is not rendered the less probable by the fact that, when apprehended on a charge of bigamy, no less a personage than the Solicitor to the Treasury stood bail for him.

On the 27th of June, 1694, this wretch appeared before Sir John Trenchard, and deposed, on oath, that in 1688 he had followed King James to France; that, in the month of March following, he had been sent with the rest of the guards to Dublin; that he there became acquainted with Dr. Bromfield, who had been sent from England to give an account of the preparations which had been made by King James's friends for his return, and to bring back his Majesty's commissions for several persons of quality; that, in consequence of Dr. Bromfield being too well known to escape detection, he Lunt and one Mr. Threlfall of the Ashes in Goosnargh in Lancashire, were sent over with them; that he landed at Cockeram within four miles of Lancaster in June, 1689; that he with difficulty escaped the Custom-

house officers, who seized four cases of pistols and some blank commissions; that he however distributed commissions to divers gentlemen in Lancashire and Cheshire, whom he named; that, through the information of the Captain who had brought him over, he was made prisoner, but admitted to bail; that in 1691 he had assisted in buying arms and enlisting men to serve King James in the projected invasion of England;[7] that he had been twice despatched by those gentlemen to the court of St. Germains; that he had been engaged in a plot to assassinate King William; and that he could take any body to places in Lancashire and other counties, where secret hoards of arms and ammunition had been formed.

As Lunt's single oath would not have been sufficient to support a charge of high treason, he produced other infamous emissaries, who received but too much countenance from Government, to confirm his testimony.[8] "Blank warrants," writes Smollet, "were issued, and filled up occasionally with such names as the informers suggested: these were delivered to Aaron Smith, Solicitor to the Treasury, who, with messengers, accompanied Lunt and his associates to Lancashire, under the protection of a party of Dutch horse-guards commanded by one Captain Baker. They were empowered to break open houses, seize papers, and apprehend persons according to their pleasure; and they committed many acts of violence and oppression. The persons against whom their measures were taken, being ap-

[7] Smollet, 1694.

[8] Macaulay, Smollet, 1694.

prised of the impending danger, generally retired from their own habitations; some, however, were taken and imprisoned."

The history of these trials, published by the CHETHAM SOCIETY in 1853, records the manner in which the gentlemen tried at Manchester in 1694 were seized. This was usually accomplished by a King's messenger, who was assisted by a party of Dutch horse; and we may rest assured that men, whose main object was to improve their fortunes, would not be over nice in the execution of their odious task. The prisoners were mostly arrested at their own houses, and, after a temporary confinement in Chester Castle, were forwarded to London, where they were confined in Newgate or the Tower till a few days before the trial, upon which they were sent down to Manchester. Lord Molyneux was arrested at Croxteth; Sir William Gerard at Garswood; Sir Rowland Stanley at Hooton; Sir Thomas Clifton at Wray Green, near his seat at Lytham Hall; on the 17th of July, 1694. Bartholomew Walmsley, Esq. was arrested at his lodgings in London on the 15th of July; William Dicconson, Esq., also in London about the 30th of August; Philip Langton, Esq. at Wepre in Flintshire, on the 27th of July. If the reader is curious to know further particulars about the arrest of these gentlemen and their future fortunes, he must refer to the volume already published, where the diligence and research of Mr. BEAMONT have left nothing to desire. Of Mr. Blundell's arrest I venture to speak more in detail.

Mr. William Blundell, of Little Crosby, was the head of a family that came over with William the Conqueror. He was an able scholar, a gallant soldier, and a worthy gentleman. Excluded from the advantages of an English education at Oxford or Cambridge by the Penal Laws, he had however managed to acquire a knowledge of the Latin, French, Italian, and Spanish languages. At an early age, in 1634, he married Anne, daughter of Thomas Haggerston, Esq., of Haggerston Castle, in Northumberland, who was afterwards created a baronet. "It was my own happy lot," he writes in 1690, "not by chance but Providence, to marry a wife in Scotland in the fifteenth year of my age." As a soldier he early obtained distinction in the royal cause. He was amongst the gentlemen volunteers who followed the Earl of Derby in the successful assault on Lancaster, where his thigh was shattered by a musket-ball that crippled him for life, and rendered him unequal to the fatigue of war; still he was one of the heroic band that stood by the Countess of Derby in her brave defence of Lathom House. Though unable to use a sword, he was four times made a prisoner, and paid his ransom twice. He says of himself that "in the first days of his service, before he had mustered the hundred dragoons that he was by commission to raise, he was sorely maimed, having lost the use of his limbs by a shot in the year 1642; and that his weak endeavour to have served that very much injured but incomparable good Prince King Charles I., was followed by the plunder of almost all his goods and the sequestration of his lands;

which lands were sequestered and wholly detained from him for the space of ten years, and then were exposed to sale by virtue of a Rump Act. Yet, true it is, that they were purchased in the name of his friends, with the moneys which he himself procured, for his own proper use and behoof. Yet after his estate was bought, as above said, he paid the tenth part of the revenue by an arbitrary law of Cromwell's for sundry years." In consequence of these losses, and in consideration of his services, he petitioned the Government of James II. for some small advantageous employment upon a civil account, but though he remained in London for eight months to press his suit, he petitioned in vain: for whatever might be the religion of the reigning Stuart, gratitude formed no part of his creed.

The flight of James and the accession of William put an end to his hopes, but not to his troubles. In the April of 1691, he was taken by a warrant from the Secretary of State, bound over under a bond from him and his bondsmen of 1000*l.* to appear at the assizes; though to use his own words, "he had one foot already in the grave through age and weakness, and had little else to think on, but to seek for such comfort as by the great mercy of God may last for ever." His resignation however was great, and in 1692 he writes: "I thank God for it that I have in some tolerable sort weathered all the storms, and that now I have little to do with the world, but to leave it in a happy hour." Yet old and infirm as he was, unable even to write his name without pain, he would have been dragged to

prison for compassing the death of the king by rebellion, if the caprice of his captors had not substituted the son for the father.

On Monday, July 30th, 1694, at half-past five in the morning, three of the King's messengers, with two of the informers, invaded the hall at Crosby, with the intent of carrying off old Mr. Blundell. As, however, he was then in his seventy-fifth year, and had been lame for many years in consequence of the injuries he had received, while fighting in the royal cause, they did not take him with them; but they carried off a case of pistols, two swords and a fowling piece, and seven horses and two hackney saddles. Mr. William Blundell jun. having shown them to his father's room left the house; but finding, on his return, that they had carried off his horses, he went to Liverpool to Mr. Norris of Speke, who gave him into the custody of the Mayor, by whom he was handed over to Captain Baker, who sent him to Chester Castle, and thence to London, where, having been examined, he was committed and taken to Newgate. None of the authorities concerned in this illegal arrest seem to have doubted the justice of committing the son for the supposed crime of the father. He survived this trial many years, dying at Crosby Hall on the 2nd of August, 1702; having a numerous issue by his wife Mary, daughter of Rowland Eyre of Hassop in the county of Derby. "About half an hour after ten in the morning," writes his son Nicholas, "being Sunday, many people in the room hearing mass, and mass just almost finished, my dearest

Father departed this life, being much lamented by all: as his life was virtuous and edifying, so was his death. Sweet Jesus receive his soul." Himself, his son, and his father, with their respective families, were all living at Crosby Hall at the same time. But those were days in which the Catholic gentry were content to exist, without being allowed to exhibit the style and splendour due to their wealth and rank. Few families suffered more for their attachment to the throne and the altar than the Blundells of Crosby. In the *Derby Household Book*, under date of Thursday 17th June, 1590, we read that "Mr. Blundell, his sone, and Robert Wodroffe the Seminary were apprehended and brought to my Lord, and on Saturday were sent to Chester as prisoners." Mr. Richard Blundell must have been subsequently removed from Chester to Lancaster Castle, where he died a prisoner on account of his recusancy in 1591. His son and successor William Blundell, who died in 1638 at the age of seventy-eight, also suffered an imprisonment of five years for his political and religious proceedings, and was fined two thousand three hundred pounds by the Star Chamber, for having enclosed a part of his demesne for the burial of recusants, who were refused burial at the parish church of Sephton. He was succeeded by his grandson, the William Blundell mentioned above as having his thigh broken at the siege of Lathom House, who was not less distinguished than his predecessors for devoted and chivalrous loyalty.[9]

[9] *Stanley Papers*, Part II.; Notes in *Derby Household Book*; *Blundell MS.*

Government determined to have the prisoners tried by a special commission,[10] and, in October, four Judges went down to Manchester. They were Sir Giles Eyre, made Judge of the King's Bench May 8th, 1689; Sir John Turton, created Baron of the Exchequer May 9th, 1689, and some years afterwards transferred to the King's Bench; Sir John Powell, created Baron of the Exchequer October 31st, 1691, and made a Judge of the Common Pleas October 26th, 1695; and Sir Samuel Eyre, made Judge of the King's Bench February 19th, 1694.

If political partisanship can give a bias to the judgment in political matters, Sir John Powell was not likely to extend much favour to the prisoners. When Anderton was indicted for having printed a political pamphlet, he was one of the Judges who sentenced him to death, after having laboured to procure his conviction, though there was no evidence to show that he had printed the libel, much less that he had written it.

With these Judges were joined in commission Hugh Lord Willoughby, Sir Thomas Stanley, Bart., Sir Ed. Moseley, Knt., and Mr. Roger Moore, who had been raised to the degree of Sergeant 22nd April, 1692.

Their Majesties' Counsel were Sir William Williams and his son, Mr. Hollis, Mr. Naps, and Mr. Serjeant Gould, made a Judge of the King's Bench 14th January, 1699. The most eminent of these for knowledge, energy, abilities, and dauntless courage was Sir William Williams, who, in

[10] Macaulay, 1694.

the reign of Charles II. had distinguished himself by his virulent opposition to the court. This, however, did not prevent his being made Solicitor General, December 13th, 1687, and receiving the honour of knighthood and afterwards of a baronetcy at the hands of James II., whose partisans he was now called on to prosecute. Though he atoned for his adherence to James by attacking him in Parliament with unblushing forehead and voluble tongue, yet the Whig historian denounces him as a venal turncoat and an apostate, an angry and disappointed man, and insinuates that his conduct at the trials arose from coolness to the Government from which he had nothing to expect, and not from honourable indignation, on finding himself the advocate of a cause supported by perjury and forgery.

The arrival of the Judges, the Counsel and the prisoners caused great excitement in the town of Manchester, which was thronged with multitudes from the neighbouring villages, as well as by the retainers of the prisoners, whom curiosity, interest, or sympathy had attracted to the spectacle. Pity for the accused and hatred of the prosecutors were the prevailing sentiments, and the multitude saw with grief and indignation, the most honoured gentry of the county exposed to the risk of hanging, beheading, disembowelling, and quartering, on the evidence of a gang of ruffians. Even men who had no personal sympathy with the prisoners could not but feel indignant,[11] that, on the authority of warrants irregularly drawn, which specified

[11] Letter to Trenchard, 1694, cited by Macaulay.

neither the person nor the crime, houses had been entered, desks and cabinets searched, valuable papers carried away, trinkets pilfered, and men of good birth and breeding flung into gaol among felons.

No detailed report of the trial has come down to us; probably the Government felt more ashamed of the part it had taken in the matter, than Lord Macaulay, who pronounces the conduct of Trenchard, "an earnest Whig," to have been more unlucky than culpable. Dr. Abbadie, a friend of King William, whom he advanced to be Dean of Killaloe, and Richard Kingston, the court scribe, profess to have compiled *true histories* of this event; the reader must judge of their claims to impartiality, when he compares their account with that now offered to the public. It is printed from a *MS.* in the possession of Major Blundell, of Crosby Hall, Lancashire, a descendant of one of the prisoners. It is written in a small, cramped hand, and appears to be a narrative, or an abridgement of a narrative of an eye witness. It may have a common origin with that published by the CHETHAM SOCIETY in 1853, from a *MS.* of John Jesse, Esq., under the able editorship of William Beamont, Esq., but it differs from it in some important respects.

The Blundell *MS.* does not contain any account of the Commission held at Warrington in 1693, for the inquisition of lands, moneys, and other effects given for superstitious practices. Nor does it contain copies of the depositions of Lunt, Wilson, and Womball, made on oath before Secretary Trenchard, in the month of June 1694; nor any account of

the apprehension of the prisoners by Captain Baker, who was sent from London to Lancashire with the messengers, informers, and others in the month of July for the purpose; nor does it include Mr. Legh of Lyme among the prisoners; nor does it contain a copy or analysis of the Indictment of the prisoners, all of which particulars are fully set forth in the *MS.* edited by Mr. Beamont for the Chetham Society; from which it would appear that the writer had had access to government information. It however details at much greater length the evidence of the various witnesses, and thus supplies more abundant proofs of the innocence of the prisoners, and the rascality of their accusers.

The *MS.* of Mr. Jesse is described as written in a plain law hand, apparently a transcript made about thirty-five years ago from some earlier manuscript. Mr. Beamont conjectures that it may be founded on a narrative, if ever prepared, promised to be written by Mr. Thomas Wagstaff, a nonjuring clergyman, who in his "Letter out of Lancashire to a friend in London," has given some account of these trials.

If these two *MSS.* have a common origin, the spelling of that in possession of Mr. Jesse must have been improved by the copyist, for it is much more modern than that belonging to Major Blundell. I am indebted for the transcript of the original from which this has been printed, to the intelligent diligence of a member of that useful religious community, the Sisters of Mercy, of Mount Vernon, Liverpool.

Mrs. Frances Blundell, a daughter of Lord Langdale, of

Hulme, in Yorkshire, and wife of Nicholas Blundell, Esq., the son of the William Blundell, junr., one of the prisoners, in a letter to Lady Mountgarett, dated November 6th, 1694, from Crosby, alludes to an account of the Trials in preparation, without giving any clue to the authorship.

"In May last," she writes, "I was in hopes of seeing my dear nephew Butler in these parts, and by so good an opportunity to have own'd the favour of so friendly a communication, but as matters fell out it was much better that he wav'd that visit, rather than to have been a spectator or unhappily a sharer in the late troubles and afflictions this poor family, and divers others of greater note, have laboured under, as no doubt your Ladyship must have heard of by all hands, as also that the said persons after having been carried to London, thence back to Manchester, they have been fairly acquit by a just and legall tryall, much to the honour and reputation of the government and satisfaction of all good men to see innocency justify'd, and villany laid open to the world The particulars of matters handled in this grand affaire would be too tedious here to relate, and *more especially since they will in likelyhood be handed over to you in a much better method.* Our business is now to bless and prayse Almighty God, who by his mercy and singular providence, has preserv'd our friends, when on the very brink of utter ruin and destruction."

Her husband, Nicholas Blundell, died April 21st, 1737.

The result of the trials is briefly told by Lord Macaulay. "The prisoners at the bar were instantly acquitted; those who had not been tried were set at liberty; the witnesses for the prosecution were pelted out of Manchester; the Clerk of the Crown narrowly escaped with life; and the Judges took their departure amidst hisses and execrations."

The character of the Government was seriously damaged by this result, and in prose and verse they were announced as the abettors of knavish contrivances to ensnare the innocent, and swear away the lives of honest gentlemen. The matter was brought before Parliament, and several days were spent in the examination of witnesses. The partisans of the Government contended that because the prisoners had been acquitted, it did not follow that the Secretary of State, and the Solicitor of the Treasury had been guilty of unfairness. It was moved and carried, that there had been sufficient grounds for the proceedings before the Special Commission; and it was resolved by 133 votes to 97 that there had been a dangerous conspiracy. The House of Peers, after deliberating on the same subject, passed resolutions acquitting both the Government and the judges of all blame. The public, however, uninfluenced by party considerations, continued to think that the gentlemen who had been tried at Manchester, had been unjustifiably prosecuted.

Notwithstanding the resolution of the two Houses, the accused gentlemen succeeded in obtaining a conviction for perjury against Lunt, Womball and Wilson, at the Lancaster assizes. They were then indicted for a conspiracy against the lives and estates of the Lancashire gentlemen; but convinced that the Government wanted to take advantage of the charge, in order to punish those who had given or might give evidence in their favour, they declined to appear against the prisoners, who were consequently discharged. Lunt

passed away with the storm he had created, and disappeared from the scene of public life after his discharge at Lancaster.

The reader must have been painfully struck by the legal hardships to which the gentlemen in this trial were subjected. It was the common fate of all prisoners at that period of our history. They were not allowed a copy of their indictment, and often did not know of what they were accused till they stood at the bar. They had no power to compel the attendance of witnesses, who, if they did attend, could not be sworn, so that their testimony made little impression. The Crown could command the services of the most able and experienced lawyers of the day, whilst the accused, confused with the prospect of a cruel and ignominious death, and ignorant of the first principles of law, was refused the help of a single counsel. Though allowed to challenge the jury, he was not allowed to know their names till he heard them read out in court; yet they were oftentimes men of the fiercest party spirit, selected by sheriffs whose obsequiousness had recommended them to Government. These disadvantages are ably summed up by the advocate for the Bill to regulate Trials for High Treason passed in the reign of William III. "How helpless," said the young orator, "must be a poor man, who, never having opened his lips in public, is called upon to reply without a moment's preparation, to the ablest and most experienced advocates in the kingdom, and whose faculties are paralysed by the thought that if he fails to convince his hearers, he will, in a few hours, die on a gallows, and leave beggary and

infamy to those who are dearest to him!" This was the position of the gentlemen tried on a charge of High Treason at Manchester in 1694; but, bad as it was, it was immeasurably superior to that in which those stood who had to plead in capital offences under James I. When the Commons, at the close of the session in 1610, petitioned, amongst other things, for criminals under trial for their lives, to bring forward witnesses in their own defence, James replied "that he could not in conscience grant such an indulgence. It would encourage and multiply perjury. Men were already accustomed to forswear themselves even in civil actions; what less could be expected when the life of a friend was at stake?"[12] And so through fear of a possible evil, the prisoner was denied a positive right. Many an innocent life had to be sacrificed before this nation achieved that liberty of which it is so justly proud.

A. G.

St. Edward's College,
August 27th, 1863.

[12] Lingard's *England*, vol. vii. p. 118.

An Acc^{t} of the Tryalls at Manchester

Com. Lan^{r}.

October 1694

Of Caryll Ld. Molineux, S^{r} W^{m} Gerrard, S^{r} Rowland Stanley Barr^{ts}, S^{r} Tho: Clifton Barr^{t}, Bartholomew Walmesley, W^{m}. Dicconson, Philip Langton Esq^{res} and William Blundell Jun^{r} [1] Gent, with observat'ons.

MR. BAILE, sollicitor ag^{t} the prison^{rs}, M^{r} Winter a Clerk in the King's bench office Westm, who came to act as Clerk of the arraignm^{ts} at Manchester, Capt Baker, master of the intelligence office and one of the witnesses, John Lunt, heretofore coachman to the Ld Carrington, another of the witnesses, John Womball a broken Carrier, another of the witnesses, George Wilson late a chamberlaine at the Bear and ragged staffe in Smithfield, another of the witnesses, with others, came into Manchester in order to this tryall. Sunday the 14th

The prison^{rs} before menc̃oned, with others, were brought into Manchester. Tuesday the 16th

Four Judges, vĩzt. Sr Giles Eyres, Sr John Turton, Sr John Powell, and Sr Samuel Eyres, came into Manchester, with whom were joyned in Comission, that sate with them in the execution thereof, Hugh Ld Willoughby, Sr Tho: Stanley Barr^{t}, Sr Edw: Moseley Kn^{t}, and M^{r} Sergeant Moor. The same day came into Manchester their Majes^{ties} Counsell in order to this tryall, vĩzt. Sr Wm: Williams, M^{r} Serj^{t} Gold, and M^{r} Hollis, and also Sr Wm: Williams son, and another young lawyer,[2] and with these gentle- Wednesday 17th

[1] The addition of *Junr.* to Blundell is in ink, but in a different hand from the rest of the *MS.*

[2] Mr. Jesse's *MS.* omits the words, "another young lawyer," but mentions the name, M^{r} Naps.

men Mr Aaron Smith, sollicitor to the Lords of the Trčary and sollicitor agt the prisoners, and the same day came into town Mr Urian Bruerton another of the witnesses. The prisonrs had great guards, and the officrs and attendts on the Judges were many. This day two of the Judges only, vĩzt. Sr Giles Eyres and Sr. John Turton went into Court at Manchester and read their Comission.

Thursday 18th All the Judges sate, and in the afternoon before the grand Jury were called, Sr Giles Eyres, chief Justice, there appointed the Statute 3: H: 8: ca: 12°, (intituled the Act that Justices may returne impannells for the King by their discretion[3]), to be read, which was openly done. Then were the grand Jury called and sworn, vĩzt. Tho: Norres of Speake Esqr, Joshua Horton of Chadderton Esqr, Rič Fletewood of Leyland Esqr, Henry Hulton of Hulton Esqr, Barnaby Hesketh of Northmeales Esqr, John Hopwood of Hopwood Esqr, Tho: Bradshaw of Lumm Esqr, Ralph Livesay of Livesay Esqr, Walter Frost of Cockerham Esqr, Robert Hide of Denton Esqr, Joseph Greg of Chamberhall Esqr, Joseph Hooper[4] of Manchester gen., Alexander Radcliffe of Leigh gen., Andrew Dandy of Lostock gen., John Johnson of Westhoghton gen., Robert Roscow of Bolton gen., and Wm Lowd of Kirkham gen.

Sr Giles Eyres gave the charge onely touching High-treason, as he said being the onely intent of their Comission.

In the afternoon, at the first sitting of the Court, eleven witnesses, each of them indorsed on 4 sevrall bills, were sworne, and the Bills sent to the Jury, Mr Winter being with the Jury to read the bills. After some time the grand Jury brought in a Bill agt Sr Wm Gerrard, and return'd to consider of the rest. Judge Eyres then demanded of the gaoler: Have yu Sr Wm Gerrard in yor costody? who answering he had, The Judge order'd him to be brought to the Barr, wch after some

[3] The *MS.* of Mr. Jesse has "direction."

[4] The *MS.* of Mr. Jesse has "Hoop"; but I am inclined to believe that Hooper is the correct reading of this *MS.*, as the letter *p* differs from that generally used, and is identical with the contraction of *per* in the words peril and person.

time was done. Sr Wm Gerrard was arraigned. The Indictmt opened agt him by Mr Winter, first in English, and then the Bill at Sr Wms request was read in Latin, to which Sr Wm plead'd not guilty. Then Sr Wm prayed time till Saturday to prepare for his tryall, and that he might have a copy of the Indictmt and of the pannell. The Judge told him a copy of the Indictmt was not allowable by law, but a copy of the pannell he should have, wch the Sheriffe was ordered to give him before 11 a clock that night. After this the grand Jury brought in two Bills more. One Bill agt Sr Rowland Stanley, Sr Thomas Clifton Barrts, Wm Dicconson, Philip Langton Esqres, and William Blundell junr [5] gentn. Another bill agt Bartholomew Walmesley Esqr. Whereupon those 6 prisonrs were sent for, and the first five arraigned together and charged thereupon by Mr Winter, who each pleaded not guilty. They allso prayed time as Sr Wm Gerrard had done, the Indictmt agt them having allso been read both in English and Latin. They likewise prayed to have a copy of the pannell, wch was order'd, vizt. one copy for all the prisonrs. Then Mr Walmesley was in like manner arraigned and charged, his Bill being read both in English and Latin, he prayed time and a copy of the pannell, as the rest had done, but, before he pleaded, took this exception upon the Indictmt, yt he in the Indictmt was named to be of the p̃sh of Church, whereas there was no such p̃ish. The Judges directed if it were so yt he must plead it in abatemt, and plead over in chief to the Indictmt, not guilty, and the Court gave him time till the next day to consider of it, and if he did insist upon it, to have his plea drawn up in forme, assigneing him for Counsell upon his prayer Sr Chrsfe: Greenfield and Mr Upton.

Forenoon, a Bill agt the Ld Molineux was brought in, and his Lopp sent for, arraigned, and pleaded, not guilty; he allso prayed time and a copy of the pannell, as the rest had done, and prsented a peticõn, wch was read, wherein his Lopp prayed yt in regard to the defects of his memory and the hardness of his hearing, he might have Counsell or his Sollicitor to assist him at his tryall, wch Friday 19th

[5] *Junr* to Blundell is an addition in a different hand.

the Judge Sr Giles Eyres said could not be allowed him by law. After which Mr Walmesley was sent for, as allso the other five that were in one indictmt, and brought to the Bar. The Court then demanded of Mr Walmesly if he did insist on his plea, bidding him advise with his Counsell and doe it at his perill, whereupon Mr Walmesley waved it, and pleaded, not guilty, as the rest had done. After which the Court did demand of Sr Rowland Stanley, Sr Tho: Clifton, Mr Dicconson, Mr Langton, and Mr Blundell whether they would be tryed together or apart, saying it was in the power of the King's Counsell whether way to try them, but it was proposed by the Court to try them all five together if they would but in all challenge 35 peremptorily, to wch they agreed, and then they were bid to prepare for their tryall agt the next day, and then all 6 were taken out of Court, after wch upon Mr Aaron Smith's mocõn in Court yt there was not full forescore in all returned upon the impannell, wch might not be sufficient, because the prisonrs might challenge with cause. Thereupon the Court ordered the Sheriffe imediately to sumon 40 more at the least, and that a copy of that new returne should be sent by the Sheriffe to the prisonrs that night. Then the Court adjourned till afternoon, and in the afternoon two Judges onely came into Court, and without doing any business adjourned till 7 next morning.

Saturday 20th

By 7 a clock in the morning all the Judges were sitting, and Sr Rowland Stanley, Sr Thomas Clifton, Mr Dicconson, Mr Langton, and Mr Blundell, the 5 indited in one Bill were brought to the Bar. After the long pannell was call'd over, and the prisoners bid by the Clerk of the Crown to look to their challenges, the challenges were made in manner following till 12 were called by each side allowed.

Challenged for the King and Queen without shewing any cause.

1 Sr Edw: Chisenhale Knt a member of Parliamt and Justice of Peace.
2 Wm Farrington Esqr a Justice of Peace.
3 Lawrence Rawstorne Esqr a Cõll in the Militia, a Depty Lieutent and Justice of Peace.
4 Thomas Braddyll Esqr a Justice of Peace.

5 Thomas[6] Rigby Esq[r] a Justice of Peace.
6 Robert Mawdsley[7] Esq[r] a Justice of Peace.
7 John Veale Esq[r] a Justice of the Peace.
8 Jonathan Blackburne Esq[r] a Justice of Peace.
10 Tho: Shierson Esq[r] Justice of Peace.
12 William Mollineux Esq[r].
14 Geo: Farrington Esq[r].
15 W[m] Leigh gen.
16 Jonathan Case[8] gen.
17 Jn Clayton of Shorrock green gen.
19 W[m] Chrichloe gen.
20 Thomas Loxam gen.
22 J[n] Clayton of Little Harwood gen.
28 J[n] Grimbaldeston gen.
49 Hen: Parker gen.
54 Samuel Drinkwater gen.

By each side Allowed.

Jurors.

18 J[n] Lightboune.
21 Risley Brown.
23 Cuthb[t] Holland.
27 Abraham Townley.
30 W[m] Whalley.
31 Chrõfer Roby.
33 W[m] Patten.
41 Francis Davenport.
44 Rich Heape.
48 Hugh Hulme.
52 Francis Meadowcroft.
55 Rich Percival.

Challenged by the Prisoners.

9 Ralph Egerton Esq[r].
11 Rich Longworth Esq[r] Justice of Peace.
13 Alexand[r] Hesketh Esq[r],
24 Hen: Dicconson gen.
25 Jonathan Green gen.

[6] In Mr. Jesse's *MS.* he is called "John."

[7] Mr. Jesse's *MS.* calls him "Maud:" may not that be a contraction for the "Mawdsley" of Major Blundell's *MS.*?

[8] The Editor of Jesse's *MS.* reads "Cave:" it is written with a long *ſ* in Major Blundell's *MS.*

26 Edm^d [9] Taylor gen.
29 Andrew Stones gen.
32 John Leech gen.[10]
34 John Earle gen.
35 J^n Hamond gen.
36 Edw^d Rowe gen.[11]
37 Rob^t Gartside gen.
38 George Duerden gen.
39 Ralph Sandiford gen.
40 James Hilton gen.
42 James Johnson gen.
43 J^n Warmingham gen.
45 Edw^d Greaves gen.
46 Nathan Walker gen.
47 Geo: Smith gen.
50 James Moss gen.
51 Joh: Diggle gen.
53 John Green gen.

The 12 unexcepted Jurors being all sworne, the Indictm^t read, and the Jury charged accordeing to coñon forme by the Clerk to the Crown, M^r Williams as youngest Counsell for the King and Queen thus opened the Indictm^t, vïzt. the Bill sets forth y^t whereas for certaine years past there hath been and still is an open and notorious war betweene their Ma^ties King William and Queen Mary and Lewis the French King, during wh^ch time the French King and his subjects were and are enimies of their Ma^ties and this kingdom,[12] and the prisoners, knowing thereof and being seduced by the Devill, have designed and endeavoured to subvert and overturne the Governm^t of this Kingdome as it is now happily establisht, and to reduce us to miserable bondage and servitude under the French King, and to depose our gracious King and Queen from their regall dignity, Crown, and governm^t, and to bring them to death and utter destrucc̃on, and to encourage the s^d French King to invade this Kingdome with armed troops and to p̃cure a most miserable slaughter to be made throughout this Kingdome, and that these gent^n with other false traytors did maliciously consult, consent, and agree to send messengers beyond the sea to bring in open enemies into this kingdome, and for this

[9] The Jesse *MS.* has "Edward."

[10] This name is omitted in Jesse's *MS.*, probably by mistake, as the number 32 is also omitted.

[11] The Jesse *MS.* has "Roscoe."

[12] The Jesse *MS.* has their "majesties' kingdom."

purpose accepted Comissions from the late King James, S^r^ Rowland Stanley to be Cõll of horse, S^r^ Tho: Clifton to be Cõll of horse, Mr. Dicconson to be Lieuten^t^ Cõll, M^r^ Langton and M^r^ Blundell to be Majors. And further, that they did encourage many to be soldiers under them and to assist them in this their traiterous designe contrary to their allegiance, for which these gent^n^ the prison^rs^ at the Barr stand indicted of hightreason, and have pleaded not guilty, if these their practices be proved y^u^ must find the prison^rs^ guilty.

M^r^ Serj^t^ Gold the King's Serj^t^ thus spoke: —

Gent^n^ of the Jury,

I am of Counsell in this case on behalf of the king and Queen. These 5 gent^n^, S^r^ Rowland Stanley, S^r^ Tho: Clifton, and the other 3 before menc̃oned, stand charged with hightreason, such treason as at once strikes at the overthrow of the King, Kingdome, and Governm^t^, and allso of all our lawes, such lawes as these very gent^n^ are secured by to have a fair tryall, and they are brought down into their own Country to be tryed by their own Countrymen. The gent^n^ stand before y^u^ accused and indicted, and whether they are guilty or no I shall not say, 'tis yo^r^ part to enquire.

The Indictm^t^ consists of two parts, the one geñall, and the other p̃ticular; the geñall part sets forth that these gent^n^ imagined and intended the overthrow of this Governm^t^ and the bringing in of a forreigne power. The p̃ticular shewes that they accepted of seᵛall Comissions, some to be Collonells one a Lieuten^t^ Cõll,[13] and some Majors, and for this purpose have levyed men p̃vided armes, and taken measures when and how to act. Now if men be so forward as to do any act out of designe to bring into our nac̃on forreigne enemies, or do any thing to encourage them to come in, that act is treason, and tho that act be not effected, as God be thanked this was not, yet nevertheless the designe itself is treason.

We shall go so far back as to the year 1689, and there shall begin and shew you how at that time they sett up a conspiracy of

[13] The Jesse *MS.* has "coloncls *or* a lieutenant Colonel."

bringing in the French King to levy war in this kingdome under p̃tence of restoring King James.

We shall prove to you how from time to time they held their consultations; our witnesses will tell you, and we shall prove to you by their very Agents, y^{t} they have sent messengers to France to tell them there how our condic̃on stood here, and to acquaint them when would be the most convenient season to invade us with an army. In the month of the then Aprill following a french army lay ready at La Hogue to have imbarqued and should have landed with us in England, w^{ch} was happily p̃vented by the French fleet being beat; and as soon as England had been surprized then their fresh army should have assisted that from France ag^{t} us, w^{ch} if it had come to pass, I leave it to any sober considerate man to imagine how sad our condic̃on had now been.

Gent^{n}, We shall go further with y^{u}, and prove it to y^{u} by these very persons that were their Agents, how that armes were bought, soldiers listed, and actually quarter'd wth y^{u}.

Before the witnesses gave their evidence, the prison^{rs} prayed y^{t} the witnesses might be exaïed apart; the Judge replied it should be so with all his heart if the King's Counsell consented thereto; but after he said he never remembred any instance of it, especially in such a criminall fact, so it was not allowed. Then the witnesses were called and the first witnes for the King and Queen produced and sworne was

JOHN LUNT, who being ask't by S^{r} W^{m} Williams if he knew all the 5 gent^{n} prison^{rs} at the Bar, he said he did know them all. S^{r} Rowland Stanley then said to Lunt, w^{ch} is S^{r} Rowland Stanley? and Lunt pointing at a wrong person, and a great noise thereupon being made, the Judge bid Lunt take one of the offic^{rs}' white staves and lay it upon S^{r} Rowland Stanley's head: Lunt took the staffe and laid it upon the head of S^{r} Tho: Clifton, saying that was S^{r} Rowland Stanley; and being then ask't w^{ch} was S^{r} Tho: Clifton, he pointed at S^{r} Rowland Stanley, saying that was he, and further did depose to the effect following, vïzt. that he was in

Ireland, a souldier in King James's guards there, at the time when Dr Bromfeild came over thither from England, wch was in the year 1689, yt Dr Bromfeild, as he said, brought instruccõns from most of the gentn in England that were King James's friends, and desired yt his Matie would send them over Comissions, but yt he the sd Dr Bromfeild being a p̃son suspected and much sought after in England, some other trusty persons were to be pitched upon for that service, amongst wch he, the sd Lunt, was one thought fitt by Dr Bromfeild[14] and recomended by him as such to the Earle of Melfort; and the sd Lunt being asked by Dr Bromfeild and the sd Earle if he would undertake the service, agreed to't, and thereupon Comissions and other instruccõns were p̃pared, and when all things were in readiness the guards were ordered (as it was before agreed) to be drawn up, and King James coming as to take a view of them, cashiered Lunt and one Gourdon who was to go into Scotland, and some others who were to be sent to other parts on the same errand, wch was done to the intent that it being publickly beleeved they were sent away in disgrace, they might the better go on that business unsuspected; that thereupon Lunt as he said came over for England in one Cawson's vessel of Lancr together with one Mr Edmd Threlfall, and the ship comeing to Cockerham and they seeing the Custome officrs makeing towards them to come on board, Lunt prayed the Mr [15] to putt him and Mr Threlfall wth their concernes on shoar before the officrs came on board, but the master refuseing, saying he durst not do it least the officers should see em and his ship be forfeited, Lunt, as he swore, pull'd a pistoll from under his coat and sett it cock't to the master's breast, threatning to shoot him if he did not imediately put off his boat, wch he thereupon did put off, and Lunt threw into the boat a Trunck and other things, leaving onely behind them in the ship a bundell of blank Commissions, and Threlfall and he gott safe to shoar wth the rest, where taking their papers and Comissions out of the Trunck, they left the empty Trunck in a ditch and gott safe

[14] Instead of "Dr. Bromfeild" the Jesse *MS.* has, "my Lord Thomas Howard."

[15] An abbreviation for "master."

themselves to Thurnham Mr Dalton's house and from thence came to Mr Tildsley's of the Lodge, where Mr Threlfall and he divided their pacquetts, Mr Threlfall to go to carry Comissions into Yorkshire, and Lunt being to distribute the Comissions he had through Lancashire and other countrys.[16] From Lodge Lunt as he swore, came to Croxteth, the Ld Molineux's house, wch was in June or July 1689, conducted thither by a guide in the night, where he found the Ld Molineux, master Molineux his son, Sr Wm Gerrard, Sr Rowland Stanley, Sr Tho: Clifton, Mr Dicconson, Mr Blundell, Mr Gerrard Sr Wms son, Mr Harrington, Mr Ralph Tildesley, and many others; yt he there delivered a Comission from King James to Sr Rowland Stanley to be Cõll of horse, another to Sr Tho: Clifton to be Cõll of horse, another to Mr Molineux to be Cõll of horse, another to Sr Wm Gerrard to be Cõll of horse, and one to the Ld Molineux to be governor of Liverpoole, and that there he saw Mr Molineux give a Comission to Mr Blundell to be his Major. Mr Lunt being then ask't by one of the prisonrs if all those gentn last menc̃oned were then together at Croxteth, he said yes; being then allso ask't if ever he had seen Mr Dicconson before that time, he answered no; being ask't if ever he had seen him since, he replied yes, and being then ask't if ever he had seen the Ld Molineux's son before that time, he answered no; Sr Rowland Stanley then asking Lunt if he and the s̃d Lunt were ever any waies acquainted before that time, Lunt replied no. Upon wch Sr Rowland said, how probable then can it be, if I were but a man of com̃on and ordinary sense, that I should receive such a Comission (the acceptance whereof might throw away my life and estate) from such a p̃son as yu, alltogether a stranger to me? Lunt then said, but I brought you with yor Comission Dr Bromfeild's letter; thereupon Mr Justice Eyres said to Sr Rowland, yu are answered, that was his credentiall; and further said to the prisonrs, gentn, you may ask questions, but this is not the time to make yor observaẗons. Then the Judge asked Mr Lunt againe if, before the deliv̄y of those Comissions to Sr Rowland Stanley and Sr Thomas

[16] The Jesse *MS.* more correctly has "countys."

Clifton, he did p̃sonally know those gent^{n}, he answered, he did not till then know either of them. Whereupon S^{r} Giles Eyres the Judge did say there was then no such mighty matter in Lunt's mistake as the prison^{rs} made of it in diversifying the two gent$^{n's}$ names that were strangers to him, haveing been told when he first saw them that those were the 2 p̃sons. The s̃d Lunt moreover said y^{t} the gent^{n} to whom he brought Comissions gave him £5 a peece. That S^{r} Rowland Stanley's five pounds was 2 guineas and the rest in silver, and further said y^{t} all those gent^{n} kissed their Comissions at the receit and readeing thereof, and afterwards on their knees drank the healths of King James and his Queen and the Prince of Wales, and said they hoped to be ready. Then Lunt further swore y^{t} ab^{t} February 1690 he was with S^{r} Tho: Clifton at his house at Lithom, who gave him £10 to buy armes with and list men for King James, and y^{t} S^{r} Rowland Stanley some time before had given him £4 for the same purpose, and that they both order'd him to go to one M^{r} Whitfeild the King's Cardmaker in Leicester feilds London, and take up what moneys he should have occasion for. That M^{r} Dieconson about that time gave Lunt 2 guineas and desir'd him to list men for him. That Lunt accordingly listed about 60 men in London, to whom at their listing he gave 12^{d} a peece, and that he sent down 40 swords at one time and many more armes by Hilton and by Knowles, Carriers, directed some to one M^{r} Mare in Preston, some to one Taylor of Standish, and some to one Jackson in Preston, and th^{t} p̃ticularly at one time Lunt sent down as many armes as came to £50, w^{ch} he bought of a Cuttler who lives next to the upper end of Middleroe in Holeborne, London and for w^{ch} he brought the aforesd M^{r} Whitfeild to the Cuttler, who undertook for the paym^{t} thereof.

That about July or August 1691 Lunt was at Standish hall desired by S^{r} Rowland Stanley, M^{r} Dieconson, M^{r} Blundell, M^{r} Langton, and others, to go over to France to acquaint King James of their forwardness, and to know when they might expect him. In order to this they gave Lunt £15 and a bill for £15 more upon one Walgrave. That Lunt accordeingly went and acquainted

King James, who told him he would be in a readiness the spring following, whereupon Lunt returned, and acquainted S^r^ Thomas Clifton, M^r^ Legh, and the rest. Lunt likewise swore y^t^ ab^t^ February 1691 he was at Dunkenhalgh, where M^r^ Walmsley being lately come from France, p̃duced a Comission from King James for his being Cõll of horse, and did then deliver a Comission to M^r^ Dicconson to be his Lieuten^t^ Cõll, and a Comission to M^r^ Langton to be his Major, and that M^r^ Langton upon his receit of that Comission said he had kept 14[17] Ireishmen in his house 2 years, and that now he hoped to have some good of them. That M^r^ Legh of Lime was there present, and they did all declare they did not question to be well p̃pared ag^t^ the King landed.

M^r^ Dicconson one of the prison^rs^ askeing the s̃d Lunt the reason why he either discovered this thing no sooner or why he discovered it at all, he the s̃d Lunt answered he had not discovered it, but that some things were putt upon him w^ch^ he could not doe, and being urged by the Court to explaine himself, he said, when he was last in France, there was a designe on foot to kill King William. And the Earle of Melfort asked him if he would make one in the attempt and y^t^ he answered he would, and said he came over to England intending to doe it, but that in his travelling the Country he mett with a Carthusian Fryer, to whom going to Confession he declared this, and his s̃d Confessor thereupon disallowed it, telling him unless he could doe it fairly in the feild it was wilful murder, and he thereupon first made this discovery least some of the rest concern'd might accomplish it.

JOHN WOMBALL the next witnes exaïed for the King and Queen swore, y^t^ he was serv^t^ ab^t^ 8 yeares w^th^ John Knowles[18] a Carrier, during w^ch^ time he seṽall journeys carried armes from London to Lancashire, and p̃ticularly about the time of the late

[17] The Jesse *MS.* has "4 Irishmen."

[18] The Jesse *MS.* calls him "*James* Knowles:" the name is unabbreviated in Major Blundell's *MS.*; and in another passage the Jesse *MS.* calls him "*John* Knowles," p. 73.

Revolution. That 8 horses loaded with armes went to Townley, and at another time 102 swords by Nic Rigby. That he the said Womball afterwards, when a Carrier for himself ab^{t} December 1691, came down wth armes from London, w^{ch} he carried in the night to Standish hall, and in the inner Courts unloaded his horses and pich'$\bar{t}$ the packs in the parlor, where the packs were opened and the armes divided, M^{r} Standish, M^{r} Molineux, S^{r} Rowland Stanley, S^{r} Tho: Clifton, and the rest, being present, who each took his share except S^{r} Tho: Clifton and his share, tho he himself [was] p̃sent, one Capt Reddish took, and all the gen$\bar{t}^{n}$ drank King James' health, rejoiceing at their p̃paration and forwardness, and Womball said he had at other times brought down great quantities of armes for 12 months together without intermission, and likewise said he had brought down 3 boxes directed D. D. w^{ch} were to be delivered to M^{r} Dicconson of Wrightington, and the mare w^{ch} carryed them falling into a pitt, one of the boxes was broke in w^{ch} he the s̃d Womball saw there were pistolls, w^{ch} was one of the boxes he delivered to Joshua Ashurst.

JOSHUA ASHURST another witness for the King and Queen swore y^{t} he carryed 3 boxes, w^{ch} he rec̃d from Womball, to M^{r} Dicconson's house, but does not know that they were armes, but said a serv^{t} paid him for the carriage.

JOHN KNOWELES[19] sworn a witnes for the King and Queen, said by fair yea and nay he knew nou't on't.

OLIVER PEARSON next sworn a witnes for the King and Queen, said he had carryed some few armes to M^{r} Standish and M^{r} Dicconson, but menc̃oned not what sort, what quantity, nor what time.

GEO: WILSON witnes for the King and Queen, swore th^{t} he was ordered by the prison^{rs} to go to the water side to wait for some

[19] The Jesse *MS* adds "another carrier."

gent^{n} that were to come by sea, and y^{t} he came to Croxteth wth Lunt, and there saw Lunt deliver Comissions to sev̄all of the prison^{rs}, he called all the prison^{rs} by their right names, and said he rec̄d some moneys from S^{r} Rowland Stanley[20] to list souldiers withall to serve for the bringing in of King James, and y^{t} he had listed for the s̄d S^{r} Rowland five and twenty men, four of which S^{r} Rowland Stanley had in his own house, and some others were quarter'd with his ten^{ts}, and the s̄d Willson further said he had listed in all 400 men for that service.

COLL: URIAN BRUERTON[21] another witness for the King and Queen, declar'd y^{t} he haveing served King James as an officer dureing the war in Ireland, and that King haveing no further service for him, he came back for England being well entertain'd by the gent^{n} here in England that were King James's friends, y^{t} he as a soldier of fortune, lay ready here to head such force as should appear for King James and them, and relating his acquaintance with S^{r} Rowland Stanley sayd he had rec̄d sev̄all small sumes of money from S^{r} Rowland, not[22] for his own use but for the service of King James, and being ask't what sumes, he answered a crown, ten or twenty shillings at a time, and being ask't, what condic̄on he was then in, whether he was not very necessitous, naked, and poor, when he had such guifts, the s̄d Cōll answered, poor! that was a question to degrade a gent^{n}. After w^{ch} M^{r} Justice Eyres observing upon what acc^{t} he said he lay there said it was likely that such sumes were given him as subsistence money.

CAPT. BAKER another witness for the King and Queen, sworn sayd y^{t} he being informed that there were armes secretly kept at Standish hall, he with a party of Dutch horse went in July last to search there, where he and those that went wth him found

[20] The Jesse *MS.* has "Lord Molyneux."

[21] This Bruerton or Brereton is said to have been a saddler's apprentice who turned out no better than a common sharper.

[22] This "not" is in pencil in a modern hand.

39 saddles, most of them warr saddles, y^t^ all the warr saddles were seemeingly new, w^ch^ he beleeved had never been used, the pannells being clean and white, that he there allso found a few belts with socketts for carrying Carbines, y^t^ there were a great many bridles fitt for troops, and p̃ticularly one fine bridle fitt for an officer, y^t^ some of the saddles were but ordinary hackney saddles, that there was one mourning saddle, that there was one Buff coat, that the mourning saddle he left, and the rest he seized and took away.

The forecited evidence for their Ma^ties^ being thus given and no more witnesses being called, after some stay M^r^ Dicconson, one of the prison^rs^, asked for himself and the rest, if that were all the evidence would be given ag^t^ them, moveing y^t^, if they had more, they would give it all together; to w^ch^ M^r^ Justice Eyres said he must leave that to the King's Counsell. Whereupon S^r^ W^m^ Williams standing up said, to deal plainly, we have no further evidence to give, unless we have occasion given by what may fall from the prison^rs^ evidence.

SIR ROWLAND STANLEY then applyed himself to the Court and said:

My Lords, we are not able to make our observaẗons on all the improbabilities and incoherenc̃es of the evidence given ag^t^ us, but we are well assured yo^r^ L^pp's^ Justice will do it for us; there has been great industry used to conceale from us the p̃ticular matters we are charged withall; what discovery's we have made we owe to the providence of God, who protects the innocent; in the meantime we shall satisfy yo^r^ Lo^pps^ and the gent^n^ of the Jury that this is a bloody conspiracy ag^t^ our lives for the sake of our estates, carryed on by indigent and necessitous villaines.

Then Mr. Dicconson said further:

My Lords, it is no new thing to hear of sham plotts forg'd by persons for interest and designe; such a one was Fuller, who was order'd by a vote of the House of Co m̃ons to be p̃secuted for an Impostor, and that of Whitney, who, to save his life after he had

been condemned, gave informaẗon of a plott, but the Ld chief Justice Holt upon exãïaẗon detected it, and Whitney was executed the next day. Another of the like nature was that of Young and Blackett, w^ch^ is so well known to the Counsell and most of the gent^n^ of the Court y^t^ I need not to repeat it;[23] and I hope, my Lords, we shall make it appear y^t^ this designe ag^t^ us is of the same nature, and by our witnesses we shall be able to make it out.

After which the prison^rs^ had leave to call their witnesses, and the first was

SIMON ARROWSMITH who being asked whether he knew John Lunt and what he knew of him sayd y^t^ in the year 1690 he the s̄d Simon being undergaoler at Lanc^r^, the s̄d Lunt was then a prison^r^ there, very poor and shabby, but made himself buisy w^th^ some other of the prison^rs^ to witt some Ireish men who had lately served in King James's army, asking if he might list them, some of them replyed, what has thou to do to list any body thou pawtry pedlars son? The s̄d Simon further said, y^t^ Lunt sometimes used to goe by sev̄all names, y^t^ in July last seeing Lunt in Manchester he saluted him by the name of M^r^ Lunt, who told the s̄d Simon he was mistaken, his name was Smith, and turned away, but the weeke following the s̄d Simon meeting the s̄d Lunt at Wygan, there Lunt came to him, and invited him to drink, saying y^t^ his calling him by the name of Lunt at Manchester would have spoil'd the designe Lunt was then upon. Simon ask't what that designe was, Lunt answered an Informer for the King.

M^r^ JOHN BREERS being asked what he knew of Lunt's takeing moneys by the highwaies, gave an acc^t^ to this effect, y^t^ (not long since) he had known Lunt in a very poor and needy condic̄on, and in very ill habit, and y^t^ the next time after he saw Lunt in a much better equipage and full of money, and the s̄d M^r^ Breers speaking freely to Lunt said he was glad to see his con-

[23] For an account of these impostors see *Jacobite Trials*, pp. 22 and 80, notes; also *Macaulay*, 1690, ch. xv., 1692, ch. xviii.

dicõn so chang'd, and inquir'd what good fortune he had to appear so much better; to wch Lunt replyed, yt he had been upon the merry pad; at wch time the sd Lunt staid some days at Mr Breer's house, and gott a neece of Breers to go with him to Ormeskirke to buy linnen for him there, who (as she told Mr Breers) had bought very fine holland, Mr Lunt would have it so, tho it was much finer, as she beleeved, than ever Mr Lunt used to wear.

CUTHBERT WILSON being asked what he knew of Lunt's padding upon the highway said to this effect, tht he was in company wth Lunt some time ago, who invited him to joyne wth him the sd Lunt in besetting the way, and who showed him 2 horses, asking the sd Wilson, what he thought of those horses. Wilson replyed, that one of them was a broken belly'd horse seemingly onely fitt for the cart, the sd Lunt then said a broken belly'd horse, but yt he about a month before had done a job upon the highway, and that horse had carryed him off with £200 behind him. Whereupon the King's Counsell said to Wilson: why did not yu discover this to a Magistrate, who said he knew not the law, nor what belong'd to't.

CHARLES BESWICK being asked what he knew of Lunt's selling a horse in 1690 to 3 sevall psons in one day said, yt one Wm Stopford agreed of a price and gave Lunt earnest for the sd horse, and being gone home to fetch the money Lunt, in the meantime, agreed to sell the said horse to the said Charles Beswick, who knowing nothing of the former bargaine gave him earnest and was to have the horse for £2 12s. 6d.; his house being near at hand he fetch't money and came back psently, but in the meantime Lunt had sold his horse to a 3d person, and taken earnest of him, that his the sd Beswick's money came first, who haveing paid for the horse took him away, and some time after haveing putt him into better case sold him for 11 guineas.

LAWRENCE PARSONS being ask't, whether he knew Lunt

and what acc^{t} he could give of him, he sayd Lunt was his brother in law, and y^{t} in June last, he was often in his company at London, who there asked the s̄d Lawrence to joyne with him in informeing ag^{t} sev^{ll} gent^{n} in Lancashire and Cheshire, promiseing him if he would do so he the s̄d Lunt would enter the s̄d Parsons in Captaine Baker's office, and that he should have 20^{s} a weeke p̄sent pay, and when the buisness was done, he should haue £150, but y^{t} Parsons should swear ag^{t} such p̄sons and in such matters as he the s̄d Lunt would direct him, but the s̄d Parsons then saying he would not swear ag^{t} his countrymen that he knew nothing against; The s̄d Lunt then told him y^{t} he the s̄d Lunt and others were goeing into Lancashire, and y^{t} if Parsons would go along with them, they would bear his charges, w^{ch} he accordingly did, and came with them to Manchester; That after some stay at Manchest^{r} Capt. Baker, Lunt, Womball[24], Ellis, and he the s̄d Parsons, went to Worsley, the Ld Willoughby's house, and when the rest went into the house, Parsons understanding they were about to seize some gent^{n} refused to goe in amongst them, and afterwards, when they came from the house, he was sollicited to joyne with them, Captaine Baker p̄ticularly inviteing him, sayeing he was assured he was an honest man, and hoped he would serve his King and Country in that buisness; to wh^{ch} Parsons replyed, he knew nothing ag^{t} the gent^{n} After w^{ch} Parsons goeing some little before the rest stopp't at an alehouse door near Streetgate, and haveing there called for a cup of Ale, whilst he was drinking thereof the company came up and Womball amongst them, who said: Damm him, shoot him; this Rascall will betray us; after w^{ch} Ellis, another of the company, came to the s̄d Parsons thanking God y^{t} he had no hand in his blood, for he was to have shot him, and thence Parsons went to Blackrod[25] with them and there left them.

M^{r} LEGH BANKES a gent^{n} of Grayes Inn, being produced a witnes for the prison^{rs} said y^{t} in September last Captaine Berris-

[24] "And" here occurs in the *MS.*, but has been erased with a pencil.

[25] Blackrod, a chapelry in the parish of Bolton, four and a half miles from Chorley.

ford, his intimate acquaintance who lodged w^th^ him in his the s^d^ M^r^ Bankes's chambers in Grayes Inn, there told him y^t^ M^rs^ Dicconson of Wrightington, wife to one of the prison^rs^, had acquainted the s̄d M^r^ Berrisford, that there was one M^r^ Taafe who had been supposed to be one to give evidence ag^t^ her husband and the rest of the Lancashire and Cheshire gent^n^ prison^rs^ then charged with Hightreason, had lately been w^th^ her and told her that there was a great deal of villany designed ag^t^ those gent^n^, and that Lunt was the principall evidence upon whom the whole plot was founded, y^t^ he was a rogue, for he had known him manifestly contradict himself in his evidence, and y^t^ he had heard Wilson and Womball say they knew nothing of this plott, but what Lunt had taught them, and y^t^ he had seen Lunt sev̄all times instruct them what they should swear, and offered y^t^, if she had gent^n^ to befreind the prison^rs^ that would follow his the s̄d M^r^ Taafes direcc̄ons, he would so bring it about, y^t^ they should hear the whole roguery from Lunt's own mouth, and the s̄d Capt. Berrisford told M^r^ Bankes that he was afraid to go, being known to Mr. Taafe, and doubtfull of his designe, but M^r^ Bankes replyed, he was sure he was known to none of them, and therefore he would adventure to go and hear what M^r^ Taafe would say, and accordingly he did go to one M^r^ Banister's house in Bromley Street, Druery lane, and there mett and told M^r^ Taafe y^t^ he came from M^rs^ Dicconson; the s̄d M^r^ Taafe then presently told him, y^t^, if he the s̄d Mr. Bankes would follow his advice, he would putt him in a way to discover the whole roguery design'd ag^t^ the gent^n^ prison^rs^, w^ch^ was to be after this manner. One Lunt, he said, was the chief p̄son and the sole contriver of this designe ag^t^ the gent^n^, who at p̄sent was at want of some p̄sons who look'd like gent^n^, if such would come to his assistance and give evidence in this plott, their appearance would give creditt to't, and y^t^ Lunt had laid hard upon M^r^ Taafe to provide him such p̄sons as in that respect were fitt for his purpose, and M^r^ Taafe sayd, y^t^ he was sure Lunt had so much confidence in him, y^t^ such p̄sons as M^r^ Taafe would recomend to him Lunt would at first sight entirely intrust, and so open himself, that they might

learne as much from him as they could wish for discovering of the whole. That therupon Mr Bankes appointed Mr Taafe to come to his chambers in Gray's Inn the next morning. That in the meantime Mr Bankes distrusting his own fittnes to manage such a designe went to and prevail'd with his friend Mr Bagshaw of Gray's Inn to undertake it. That the next morning Mr Taafe, according to his promise, came to Mr Banke's chambers, and there being Mr Berrisford, Mr Taafe then repeated what the day before he had told Mr Bankes, after wch Mr Bankes fetch't his friend Mr Bagshaw, to whom againe Mr Taafe told all the same thing. Then they agreed to meet another time at the ship alehouse in Butcher Roe, where Mr Taafe was to tell Lunt to meet them. That in the meantime they had gone to Counsell that were their friends, and acquainted them wth their p̃ceed's, who highly disapproving of it, as a thing full of danger to themselves and that might be of ill construcc̃on and a p̃judice to the gentn to whom they designed well in it, thereupon Mr Bankes and Mr Bagshaw were in great doubts what to doe; however they resolved to go according to their appointmt wth Mr Taafe, by that meanes to keep it in their power to p̃ceed as they should afterwards resolve. That they accordingly went, when seeing Mr Lunt with Mr Taafe who out of earnestness came with him, which they supposed he would not have done, the s̃d Mr Bankes and Mr Bagshaw forbear to go there, resolving yt Mr Bagshaw and Capt. Berrisford should go to Sir Bartholo. Shoar to be directed what was adviseable to doe, and they left Mr Bankes to stay in the house, tho' not in the roome where Mr Taafe and Lunt were till they returned, but before they came back, Mr Taafe came to Mr Bankes, and told him yt Lunt had seen them come into the house, and yt Mr Taafe had told Lunt those were the men yt he had p̃cured him, therefore it was necessary yt one or both of them should goe to him, else it would bring a suspicion on Mr Taafe, and that they would lose an opportunity to discover Lunt, the like whereof they could never gett againe, and said further, yt if Mr Bankes would but come and drink a glass of ale wth Lunt, he need to say nothing unless he pleased.

Thereupon Mr Bankes lett Mr Taafe bring Lunt up to him, who at his comeing up, saluted Mr Bankes, saying he hoped he should be happy in his conversacõn, yt if Mr Bankes would assist him in this designe, he should be plentifully provided for; That he wanted gentn of reputaõn to give creditt to his plott; then pulling out a writeing of 5 or 6 sheets of paper, wch he called his narrative of the plott, Mr Taafe read it over, the sd Lunt applauding himself all the while for his contriveance in it, saying he could have been in Dodsworth plott, but he was resolved to have a plott of his own. Mr Taafe then said to Mr Bankes he thought ye narrative was Capt Baker's hand, to wch Lunt replyed, yes it is so; that there were a great many persons some hundreds named in the narrative more than were prisonrs on that acct. That Mr Bankes thereupon asked why these gentn were taken up and not the others allso; to wch Lunt replyed; we will do these people's business first, and, when that hath given credit to us, we will run through the body of the naõn. Then Mr Bankes askeing what must be his part to doe, Lunt answered, he would tell him saying, he should serve him agt Mr Legh of Lime in p̃ticular, whose business must be done; for he had a vast estate. Then Lunt asked Mr Bankes if he could write a good hand, for he must have a Comission from King James, wch must be well writt, and if he could write well, he should write it himself. That Mr Bankes askeing what they must do for King James's hand, Lunt bid him take no care, for that he the sd Lunt would provide it. That they then appointed another time to meet, when Mr Bankes would bring another freind who would come into the business with them; That against that time Lunt would have p̃vided the Comission for him and what he should swear, and that then Lunt, Mr Bankes, and his freind should take an oath of secrecy together. That Mr Bankes, upon his parting from Lunt, mett wth Capt Berrisford and Mr Bagshaw, and they went alltogether to the Counsell to acquaint them what was done, who thinkeing they had done a thing of dangerous consequence advised them, that since it was gone so far they should p̃sently draw up the whole matter into affidavits, and go before the Ld

chief Justice to swear to them, That they accordingely did draw up the acc^{t} of it to y^{e} effect related, and went before the Ld chief Justice Holt wth them, but he haveing read them said he must consider 'em, and desired them to leave them with him and to come againe, w^{ch} they accordingely did; and he then told them y^{t} he could not take such affidavits ag^{t} the King's evidence, but that this would be much more seasonable and of greater use to the prison^{rs} to be declared on their tryall. That afterwards M^{r} Bankes went to meet Lunt accordeing to his appointm^{t} to receive his Comission he was to have had from him, and his lesson what he was to swear. That comeing to the house they had appointed and inquireing for Lunt, they of the house told him, y^{t} Lunt was there and that there was a Constable wth him. Whereupon M^{r} Bankes not knowing why the Constable was with him apprehended there might be some designe ag^{t} him, imediately left the house, and went away, but afterwards it appeared it was a Constable that had Lunt a prison^{r} upon a warr^{t} granted pursuant to an Indictm^{t} found ag^{t} the s̄d Lunt at the Old Bailey for having two wives.

M^{r} JOHN TAAFE, who giveing his evidence to the same effect M^{r} Bankes had done said further, y^{t} his first acquaintance wth Lunt was in the year 16 ,[26] when Lunt came to him and called himself M^{r} Widdrington, a near relaṫon of Ld Widdrington's, telling him the s̄d M^{r} Taafe, y^{t} he had married his the s̄d M^{r} Taafes wive's sister, y^{t} he had formerly been an officer under King James, but now being out of comand he was in necessity, and therefore designed to go to France, hopeing to gett imploym^{t} there, and desired of M^{r} Taafe that he would gett him a pass and a letter, w^{ch} he understood he could do from one M^{r} Dicconson who is now one of the prison^{rs}, to M^{r} Walmesley, brother in law to the s̄d M^{r} Dicconson, now allso a prison^{r} who Lunt understood, he sayd, was is France, but M^{r} Taafe replyeing he would not meddle

[26] In Major Blundell's *MS.* the date is not fully expressed: does this look as if that *MS.* were only a copy, though an old copy, of a still earlier *MS.*, or was the writer of the Narrative waiting for exact information?

with anybody that was freind to King James, but if he would accept an imploym^{t} here under this Governm^{t}, the s̄d M^{r} Taafe would use his interest for him, w^{ch} Lunt (passing then all along by the name of Widdrington) then agreed to, and sayd he would take the oaths to the Governm^{t}, p̄vided his imploym^{t} lay out of London, for otherwise it would be known and displease his family.[27] That M^{r} Taafe thinkeing well of him entertain'd him for some time, till heareing by the neighbourhood y^{t} his name was Lunt, and that he kept company wth Poole and Neland, two notorious known house-breakers, who were afterwards hang'd for Burglary, w^{ch} when M^{r} Taafe heard he forbid him to come any more to his house, after w^{ch} he saw him not till about a year after, when Lunt comeing againe to him told him, that there was a designe on foot to kill King William, w^{ch} he could discover if he could gett himself introduced to the Secretary. Upon w^{ch} M^{r} Taafe acquainted the Ld Bellamont with it, who, for the more secrecy, came to M^{r} Taaffe's house in the night to take what Lunt could say. That Lunt afterwards was carryed to give his informaẗon before the Secretary, and accordingly did informe ag^{t} sev̄all Kentish gent^{n} that were Protestants, but that his testimony either being single or not sufficiently credible, the gent^{n} were never imprisoned upon it, that things rested so for some time, when Lunt comeing againe to M^{r} Taaffe told him, that there was another plot on foot to bring in King James, w^{ch} he could discover, and that it was a protestant plott, and that no papists were concern'd in it, and y^{t} Lunt continued to say so till when M^{r} Taaffe had brought him to Capt Baker to draw his informaẗon into good forme, after w^{ch} time protestants and papists were both accused, that things rested then for some time long^{r}, the Secretary sending out no warr^{ts} because the testimony was still single, y^{t} Lunt thereupon came to M^{r} Taaffe and acquainted him that nothing was like to be done, for that he wanted another evidence, desireing M^{r} Taaffe to help him to one, to w^{ch}

[27] From this it would appear that Lunt was neither an Irishman nor a Lancashire man, but a Londoner.

Mr Taaffe answered, that was not possible for him to doe, as haveing been no waies concern'd in it, but yt he must go amongst his acquaintance who were his partners, and try if they would some of them come in; after wch Lunt meeting wth Womball, who sayd he had carryed some armes to some gentn in Lancashire, Lunt carryed him before the Secretary to give his evidence, but that Womball all that time giveing evidence of carrying onely some few armes, and that seemeing too inconsiderable and foreigne to have any relaẗon to what Lunt informed in, the Secretary still refused to send out warrts, telling him he must gett somebody yt could confirme the evidence he had given. That some time after Lunt came to Mr Taaffe and told him that he had now found out a pson fitt for his purpose, he was one indeed yt knew nothing of it, but yt he would swear any thing for money, that his name was Willson who then lived chamberlaine att the Bear and ragged staff in Smithfield. That when Lunt had fitted him to give his evidence, Lunt went to Mr Aaron Smith and told him yt he had now found out a gentn, a freind of his, that knew as much as he, and would swear the same things, but yt he lived within 2 miles of Preston in Lancashire, and that he wanted moneys to bring him up. Upon wch Mr Aaron Smith gave him 10 guineas, whereupon Lunt, as he told Mr Taaffe, went to Willson at the Bear aforesd, and divided the moneys with him, takeing each of them 5 guineas, and as soon as it could be probable yt Willson could have come up from Lancashire, Lunt took him before the Secretary to give his informaẗon. That imediately thereupon warrts were issued out agt diverse gentn, that Lunt, Willson, and Womball, came down into the country at the same time with the warrts. That Mr Taaffe was likewise with them tho he was then sensible that the whole was a roguery, for yt he had sevall times seen Lunt teach the sd Willson and Womball what they were to swear. And the sd Mr Taaffe further remembers as to Womball, yt, some time before the time he now menẗons, he and Womball meeteing upon the road and travelling towards London amongst other discourse Mr Taaffe asked him, what buisness call'd him to London, he answered yt he

had some very good freinds there, p̃ticularly the Ld Macclesfield, whom he intended to request for his interest to assist him in being made governr of the House of Correcc̃on at Preston in Lancashire. Mr Taaffe then askeing him if he knew any thing of a plott carryed on by some gentn there, he then answered he did not, but within a fortnight afterwards he meeting with Womball in London and discourseing together, Womball then told him he knew as much of the plott as any body. That Willson and Lunt went by sev̄all names wth designe to escape any inquiry that should be made after their characters by psons that were freinds to the prisonrs: That there were sev̄all other gentn yt Lunt had designed to informe agt, p̃ticularly Sr Willoughby Aston, Sr John Manwaring, Mr Norris of Speake, Mr Holt of Castleton &c. and Mr Taaffe telling him he would never be beleeved if he should informe agt those gentn, they being so well known to be well affected to the p̄sent governmt, Lunt thereupon replyed, that they were as much concern'd as the rest, but if Mr Taaffe thought so, he the s̄d Lunt would blott them out, wch he accordingly did: That Lunt informeing amongst others agt Mr Legh of Lime, yt he had delivered a Comission to him at Lime, Mr Taaffe, knowing that Lunt had never been at Lime nor ever seen Mr Legh, asked him, how he durst adventure to swear that, as being dangerous to betray him by mistakeing either the house or the man, to wch Lunt replyed he would do well enough in that matter, for he would go along wth them that went to seize Mr Legh, and by that meanes would learne his p̄son and would make his observaẗon of some roome in the house wch he should be able to swear to. That Mr Taaffe being sensible of the villany designed by Lunt and the rest, a long time considered how to discover it, as thinking it both a duty he owed to the innocence of the gentn and a service to the governmt, that with that designe he acquainted Mrs Dicconson, as before has been menc̃oned, and went along with Mr Bankes and others: That they were fearfull to trust him the s̄d Mr Taaffe wch hindred him much in makeing a discovery, and yt by offering those affidavits to the Ld chief Justice Holt, Mr Taaffe's designe had

taken air, by w^ch^ meanes they were p̄vented getting the Comissions signed from Lunt and his instruc̄ons what M^r^ Bankes should swear, M^r^ Taaffe being from that time suspected by M^r^ Aaron Smith and Capt Baker, who thence forward kept Lunt from speakeing to any body least he should againe betray himself by the like indiscretion: Further y^t^ M^r^ Taaffe brought another gent^n^, one M^r^ Roger Dicconson, to the s̄d Lunt, to whom he recomended him likewise as a p̄son that would come in to assist him in his plott: Then M^r^ Hollis, their Ma^ties^ Counsell, asked M^r^ Taaffe where he lived, he answered he kept a house in Berry Street in S^t^ James's London. M^r^ Hollis asked him further, what calling he followed, he answered, he had no calling. Mr. Hollis then asked him, if he had any visible estate, to which he replyed he had a pension from the King of £100 a year, w^ch^ was p̄cured him by the Lord Bellamont, his father haveing been killed in the King's service, and sayd y^t^ he lived upon that. M^r^ Hollis then asked him if he was so great a freind to the governm^t^ as he would seeme to be, and that since he was so well satisfyed of this roguery, as he now sayes, why he did not discover this sooner; to w^ch^ M^r^ Taaffe answered, y^t^ in the beginning of Lunt's discovery, he the s̄d M^r^ Taaffe did beleeve what Lunt said might be true, and therefore, as a freind to the governm^t^ he encouraged and assisted him with the meanes he had related to make the discovery, but that afterwards, and more especially when he was in the Country with them, he was convinced it was all villany, y^t^ he thereupon did endeavour to discover it, and p̄ticularly applyed himself to one M^r^ Allenson, a clergy man, for that purpose, but y^t^ M^r^ Allenson, being fearfull of him or not crediting him, gave no heed to him, that afterwards, when they returned to London, he attempted to discover it sev̄all waies, as att one time by his taylor and another p̄son, a freind of his, designeing to have introduced them in the like manner he did M^r^ Bankes and M^r^ Dicconson, but getting his wife to acquaint M^rs^ Dicconson she recom̄ended her brother M^r^ Roger Dicconson and the others, as has been said: That he durst not attempt to discover it any other waies, feareing y^t^ if he had gone directly to the Secre-

tary to testify his knowledge therein and being but single ag^{t} the other three, he should not have gain'd beleefe: That what he designed therefore was to gett gent^{n} of reputaẗon, and to introduce 'em to Lunt, as he did, whereby he knew Lunt would open himself so freely, as he did, and that, when the Comissions had been gain'd from Lunt and the instruccõns w^{ch} he would have given them of what they were to swear, they would alltogether have gone wth Lunt before the Secretary, as Lunt, no doubt, would have introduced them, supposeing their evidence for him, at w^{ch} time they would have all made the discovery and made affidavits of the whole matter before the Secretary. M^{r} Baron Turton then asked him, but why did y^{u} not discover this to the Ld Bellamont, who being so much yo^{r} freind would, no doubt, have given y^{u} creditt, and being a man of Justice and Hono^{r}, would have took care to discover it; to w^{ch} M^{r} Taaffe replyed, y^{t} he look'd upon that method he had menc̃oned as the most likely, he feared, if he should discover it to the Ld Bellamont, he would not so far creditt him but y^{t} he would examine Lunt, in w^{ch} he doubted Lunt would gett such knowledge of his intent, as to make him carefull for the time to come to p̃vent M^{r} Taafe from any opportunity to discover him in the way he menc̃oned.

M^{r} ALLENSON, a witnes for the prison^{rs}, being asked what he knew of M^{r} Taaffe's offering to make a discovery sooner, to w^{ch} M^{r} Allenson answered, y^{t} he was curate to the hono^{able} Henry Finch, Rector of Winwick, and was Minister at M^{r} Legh's chappell in Newton, where, in July last, he saw Lunt, Womball, Willson, M^{r} Taaffe, and others come and call at Betty Boardman's door, an alehouse in the town, and M^{r} Taaffe seeing the said M^{r} Allenson standing at his own door called to him by the name of D^{r}, inviting him to drink with them. Whereupon comeing to their company, he heard the s̃d Lunt, Willson, and Womball very profanely swearcing and cursing, their discourse being as a continued volley of oaths, w^{ch} made Allenson tremble to stay with them, and sayd that, amongst other things, their discourse was upon his good

freind Mr Legh, and that some of them said Mr Legh was accused for entertayneing Coll Parker at his house, to wch Mr Allenson answered, yt he had heard Mr Legh declare yt he beleeved Coll Parker was never at his house, yt he was sure he had never seen him there; upon wch Mr Taaffe presently (after the company was rid away) said to Mr Allenson he ꝑceived he was a freind to Mr Legh, and, as such, he could tell Mr Allenson something that would be much service to Mr Legh and the prisonrs if sometime Mr Allenson and he might talk together, but the s̄d Mr Allenson, then lookeing on Mr Taaffe as a confederate with the rest, was afraid of being brought into danger, and therefore did not give Mr Taaffe the opportunity of makeing that discovery to him, wch he hath since supposed was Mr Taaffes intenc̄on to doe, and so Mr Taaffe, without any time appointed for their further converse abt the thing, ꝑposed to be serviceable to Mr Legh, parted wth Mr Allenson, and rid after the rest of the company.

Mr ROGER DICCONSON,[28] brother to Wm Dicconson Esqre one of the prisonrs, being next produced a witnes for the prisonrs, sayd, yt being in London the first day of October last and going to see his sister Dicconson, she amongst other things related to him Mr Taaffe's undertakeing to make Lunt a discoverr of his own

[28] An account of these trials, written by Mr. Thomas Green, born in 1753, from the traditions of his family, alleges that an ancestor, Mr. John Green, was professionally engaged as attorney for the defendants, and aided Mr. Roger Dicconson to expose the false testimony of the government witnesses by the following scheme. Dressed as a carter in a frock, wig, and slouched hat, Mr. R. Dicconson made his way to the government solicitor at Preston, who was known to be entertaining Lunt and his associates at free quarters, and offered himself under a feigned name as witness. Over their cups he learned that they were not acquainted with the persons of the accused. He therefore gave false descriptions of them, by which they were completely misled, as appeared at the trial, and he induced them to fix on certain well known days, as Martinmas and Lammas, as the times at which they had met at particular houses for treasonable purposes. This enabled the prisoners to prove by numerous witnesses that they were not at the places mentioned on those days; for many who could not have remembered a particular day of the month had no difficulty in recording the occurrences of Martinmas and Lammas. The housekeeper's books

plott, if she had some freinds such gent^{n} as would follow M^{r} Taaffe's direc$\widetilde{\text{co}}$ns, he, as he sayd, could so bring the matter about, y^{t} such gent^{n} might from Lunt's own mouth have a full discovery of the whole of all his the s$\widetilde{\text{d}}$ Lunt's contrivances. M^{r} Dicconson agreed to be one, and M^{r} Taaffe and he afterwards mett upon it and went together to a Coffee house in Fetterlane, where M^{r} Lunt did meet 'em, and upon his appearance M^{r} Taaffe told him that that gent^{n} was the p̄son of whom he had spoke to him. Whereupon Lunt desired they might go up stairs, and being come to a private roome, after some salutac̄on, Lunt asked M^{r} Dicconson his name and what his religion was, who call'd himself Howard, and said he was brought up a Church of England man; to w^{ch} Lunt replyed, Howard was a noble name and would give a creditt to the designe, and M^{r} Lunt said if he was a protestant he must be under M^{r} Legh, for he was a p̄testant; had he been a papist, he must have been under the Ld Mollineux or some other papist. Then Lunt said to him he must come under an oath of secrecy, w^{ch} something surpriz'd M^{r} Dicconson; but M^{r} Dicconson turn'd off that discourse by proposeing to know the termes on wh^{ch} he must come to joyne wth M^{r} Lunt, saying y^{t} he was not a p̄son that was in p̄sent want of a crown or ten shillings; but if it were probable that he could make a fortune by it he would joyne with them; to w^{ch} Lunt answered, y^{t} they had gould in for £100,000 a year, and that the inform^{ts} were to have a 3^{d} p̄t of all the estates w^{ch} should

were also produced to show that, on the days named by Lunt as occasions when they had dined together, no company had been entertained; for whenever a stranger was present, though only a Roman Catholic priest, an extra dish was provided, whereas on those days there had been only the usual number of dishes. Mr. R. Dicconson then entered the witness box under his feigned name, threw off his disguise, and related how the witnesses for the prosecution had acknowledged to him that they had neither carted arms nor had they ever seen the accused. Mr. Green represents the Attorney-General as saying in his fury that Mr. R. Dicconson must have been branded on the back as a rogue; but he disproved the assertion by baring it to his discomfiture. He adds that when the gentlemen were preparing to prosecute the witnesses for perjury they were served with notice by the government that, if they persisted, the penal laws should be enforced.

be recovered to the crown by their prosecuton or to that effect. Then Mr Dicconson said he heard there were other psons as witnesses ingaged with him the sd Lunt, pticularly one Womball whom he look'd upon as a very silly fellow that would spoile their buisness, and that for his part he would not see him, and unless Womball was turn'd off, Mr Dicconson said he would not be concern'd. Then Lunt said, he now having gott gentn to assist him, he would turne off both Womball and Willson, for they were a couple of blockheads, could say nothing but as he had taught them. Mr Dicconson saying he had little acquaintance with ye prisonrs, Lunt said t'was so much the better, for the gentn not knowing him could not invalidate his evidence, as they had endeavoured to do his the sd Lunts, and then asked Mr Dicconson, whether he had a Comission or no, who answered in the negative. Then Lunt said he would pcure him one. Mr Dicconson asked if he had any Comissions, he answered no, but pduced a peece of parchment wch he said was a Comission made in King James's time, and asked Mr Dicconson if he could write a good hand, designeing, if he could, yt he should copy out the forme of the sd Comission and putt other names therein. Then Mr Dicconson asked Lunt if he knew Mr Dicconson, the prisonrs brother, Lunt said yes very well, for he had delivered Comissions abt Christmas last to two of them viz Mr Roger Dicconson and Mr Hugh Dicconson. That Mr Dicconson at the latter end of their discourse applauding Mr Lunt's contriveance, as haveing made a pretty plott for the advancemt of himself and freinds, the sd Lunt own'd it with a great deal of satisfaccon, and thereupon offered to imbrace Mr Dicconson, but that Mr Dicconson avoided, but, at parting, said he hop'd he should do Mr Lunt's buisness effectually.

Mr PARKINSON,[29] another witnes produced by the prisonrs, declared yt in July last he had his horses seized, and heareing that Lunt whom he had formerly known was one concern'd in the

[29] This meeting took place at an alehouse called Peel.

takeing of them, he went to him to try to gett his horses againe, and there falling into discourse w^th^ him ab^t^ the buisness Lunt was then upon in seizeing of Papist's horses and swearing ag^t^ sv̄all p̄sons, as he heard he had done, the s̄d Parkinson asked him, why he would be so ungratefull to requite those gent^n^ so ill who had releev'd him, when he was in poverty, to wh^ch^ Lunt answered, y^t^ what he now did was for King James's service, and y^t^ he was now more capable to serve him than ever he was in his life, for that he could comand the Dutch troop then at Wygan, and if King James appear'd they should all stand for him. That Lunt then sollicited the s̄d Parkinson to joyne with him to be an Informer ag^t^ those gent^n^, w^ch^ if he would do Lunt said he could make him a man for ever, to w^ch^ Parkinson answering that he knew nothing ag^t^ any of them, Lunt replyed y^t^ he knew as much as he the s̄d Lunt did, Parkinson said that was nothing at all, for he was sure y^t^ he the s̄d Parkinson knew nothing; to wh^ch^ Lunt replyed as before. Well, I say againe, y^u^ know as much as I do. That Lunt would not take a denyall, but would give him time to consider, and appointed to meet him 4 days after. That M^r^ Parkinson had heard y^t^ Lunt came to the place and att the time appointed, but y^t^ M^r^ Parkinson never intending from the beginning to have any thing to do w^th^ him therefore went not.

SIMON APPLEBY, the next witnes for the prison^rs^, said he knew George Wilson the before menc̄oned witnes for the King, who, in May 1693, was chamberlain at the Bear and ragged staff in Smithfeild, and continued so till June last, that there was one who call'd himself Johnson, but is the same p̄son who he has now seen give his evidence for the King by the name of Lunt, w^ch^ Johnson came often to Wilson at the Bear afores̄d, and they would be in private together with pen, ink, and paper, that p̄ticularly in June last the s̄d Johnson came thither to Wilson and fetch't him out of the house, y^t^ after some time Willson came back and shakeing 5 guineas in his hand w^ch^ he shewed to the s̄d Simon and

said, see y^{u}, is not this a good morning's work? I have gott these this morning, and, if y^{u} will do as I do, y^{u} may have so too.

RICHARD EDGE was called by the prison^{rs} to prove a copy of the record ag^{t} George Wilson who was indicted and tryed at Lanc^{r} assizes 18^{o} Martii A^{o} 4to Willi and Marie for stealeing of 4 cowes of W^{m} Walmesley, was convicted thereof, and burnt in the hand, w^{ch} copy the s̄d Richard Edge p̄duced and delivered into Court to be read, averring y^{t} he had examined it with the record at Preston, and y^{t} it was a true copy thereof, w^{ch} was openly read by the clerk of the crown. The Court then demanded, who proves that this Wilson is the same p̄son menc̄oned in that record? whereupon the prison^{rs} called

SIMON ARROWSMITH who lookeing upon Wilson did attest, y^{t} he the s̄d Simon was undergaoler at Lanc^{r} at the s̄d Assizes, and held fast the iron wherein Wilson's hand was put, whilst he the s̄d Wilson was burnt in the hand for the fact before menc̄oned.

W^{m} TOMLINSON being called for another witnes affirmed, y^{t} he saw the same Wilson, the late witnes ag^{t} the prison^{rs}, burnt in the hand at the s̄d Assizes for stealeing 4 cowes of W^{m} Walmesley.

M^{r} JOHN HARVEY likewise declared in Court, y^{t} he saw the s̄d Wilson burnt in the hand at the s̄d Assizes and for the fact afores̄d.

The evidence before menc̄oned being given ag^{t} the validity of Wilson's testimony, M^{r} Justice Eyres did declare y^{t} Wilson haveing suffered the punishm^{t} of the law for it, that it did not take away his testimony, tho it might be a lessening of his creditt.

Mr WALTER THELWALL[30] being asked what he knew of any money that was stollen at Mr Blundell's house at the time the messenger came to search there, he declared to the effect following, vizt. that he was steward to the sd Mr Blundell, and in the house at the time the messenger came there, and whilst they were searching the house, they would not suffer him the sd Walter nor any pson of the house to stirr, yt, when they had done searching, the sd Walter went to his own chamber wch he had left lock't, and found the door broken open, and considering he had left three pounds upon the table went to see if it were all there, and counting it he found it one and thirty shillings and sixpence short of what he left, and complaining thereof to the messengr, one Mr Ellis, an assistant to the messenger, said that onely Womball and he went in that roome, and prayed for his justification yt Womball and he might be search't, offering himself first to be so. That Womball ptended to have about him no more than 12s., that they were both search't, and the sd Walter pulling off Womball's boots found some moneys therein and some in his breeches knees, wch with that in his pocketts made up the moneys that was stolen. That the messengrs were so satisfyed in the matter that they paid the moneys back.

Mrs BRIDGETT BLUNDELL spoke to the same purpose Walter Thelwall had done, and confirm'd his testimony throughout.

Wm ASHTON, another witnes for the prisonrs, said he knew Womball, and that they were both broken Carryers; and meeteing

[30] Mr. Blundell, father of the prisoner, put the life of Mr. Thelwall into a tenement in Little Crosby for nothing; and the prisoner's son, Mr. Nicholas Blundell, afterwards added the life of Walter Thelwall's son, also for nothing; but he seems to have subsequently proved ungrateful for the favour conferred. "Walter Thelwall the Father," writes Nicholas Blundell Esq., "did not whilst he was my servant, carry himself as if he had received any favour or kindness from this family, and after he left my service I had no reason to look upon him as a Friend to me, nor a well wisher to the Township of Little Crosby, but much otherways."—*The Tenants Booke* (Blundell *MSS.*).

together in London, Womball asked Ashton how he lived since his misfortune, the s̄d Ashton answered, y^{t} he would gladly gett some imploym^{t}. Whereupon Womball invited and took him to lye wth him att the red lyon in Fetter lane. That Womball there told him he could help him to a messenger's place, if he could do any thing to deserve it, asking him what he could do; to w^{ch} Ashton answered he could both read and write. Womball replyed writeing and readeing would signify nothing, but if he would swear hard he could help him to a place, and then told him y^{t} he would have him swear ag^{t} some gent^{n} y^{t} were then prison^{rs}, p̄ticularly y^{t} he should swear y^{t} he had carryed armes for the Lord of Lime to Lime and Haydock. That he would not be suspected because the s̄d Womball knew the s̄d Ashton had carryed goods for M^{r} Legh, when he the s̄d Ashton was serv^{t} to Bamford. Womball would likewise have Ashton swear, y^{t}, when he lived at Worcester, M^{r} Legh mett the Ld. Conventry to consult there. Ashton said he never carryed armes in his life for M^{r} Legh, nor y^{t} he ever knew y^{t} M^{r} Legh was at Worcester, therefore he could not swear any such thing. Womball told him he could not then help him to any place. That Womball frequently press'd him againe to swear, telling him he would give him in writing what he should swear, and, if Ashton would swear so, he should have 20^{s} a week, till he gott a messenger's place, and y^{t} he must lash out if he hoped for any thing.

THOMAS GREENHALGH, being ask't what he had heard Womball say at any time, declared, y^{t}, about 11 weekes since, the s̄d Womball came to him and said, Thomas, I have not yet lost my eares, before I loose my eares, I'll have some of their lives; God damm Standish, I'l have his blood.

JOHN BROWN, another witnes for the prison^{rs}, being likewise ask't what he had heard Womball at any time say, declared, y^{t} ab^{t} 13 weekes agoe, Womball came to the new house on round moor in Wygan lane, being the s̄d Browne's father's house, and

upon his discourse ab^{t} Papists said, it was no more sin to hang a Papist than a dog, and y^{t}, another time, he heard the s̄d Womball say to the s̄d Brownes father; see thee, I am come home with my eares, and all the Papists of Lancashire shall know it; I will have their lives and estates, and God Damm Standish, I'l have his blood.

M^{r} RICHARD SHONE, a witnes called by S^{r} Rowland Stanley, was ask't by him what he had heard M^{r} Bruerton, one of the witnesses, at any time say ag^{t} the s̄d S^{r} Rowland, to w^{ch} he answered, y^{t}, about Lady day 1692, the s̄d Bruerton took lodgeings at the s̄d M^{r} Shone's house and staid with him some time, dureing w^{ch} he had sev̄all times heard him say; God damm S^{r} Rowland Stanley and his cozen Legh of Lime, they were two pittifull fellowes and would give him nothing, and he would be reveng'd of 'em when time served.

M^{r} SHONE'S WIFE, called a witnes for S^{r} Rowland Stanley testifyed the same.

M^{r} FARRER, another witnes called for the same purpose, testifyed the same M^{r} Shone and his wife had done.

D^{r} WILLIAMSON, another witnes called, testifyed as the 3 last witnesses had done, and added, y^{t} he had heard the s̄d Bruerton say, y^{t} he would have S^{r} Rowland Stanley's blood, and further y^{t} at another time he heard Bruerton confess, y^{t} he had murder'd a man in France, and was forced to fly thence for that reason.

M^{r} ROBERT ROTHWELL, another witnes whom S^{r} Rowland Stanley p̄duced to testify y^{t} S^{r} Rowland was not at Croxteth or elsewhere in Lancashire in any part of the months of June or July 1689 as Lunt had sworne, being ask't to that purpose did declare, y^{t} he could take upon him to swear y^{t}, from the beginning

of June to the latter end of October 1689, he the s̄d Rothwell did morning and evening constantly dress and undress Sir Rowland his master at Hooton in Cheshire, S^{r} Rowland Stanley's house, and y^{t} he was not any morning or evening in all that time absent from his own house, and Rothwell further said, y^{t} he was serv^{t} to S^{r} Rowland in the year 1690 till the latter end of September y^{t} year, and y^{t} S^{r} Rowland Stanley in all that time went no where abroad, but when the s̄d Rothwell waited of him, and therefore can positively say, y^{t} S^{r} Rowland was never in Standish hall in Lancashire in all that time.

M^{rs} ELIZth MOLINEUX, another witnes p̄duced to testify where S^{r} Rowland Stanley was in February and March 1691, declared, y^{t} she waited on S^{r} Rowland Stanley's lady as her maid in the year 1691 and for sev̄all years before, and y^{t} every morning and evening in February and March that year she can positively say she saw S^{r} Rowland Stanley either in his bed or chamber at Hooton in Cheshire, S^{r} Rowland Stanley's house.

M^{r} WILLIAM BLUNDELL, who waited on S^{r} Rowland Stanley in his chamber from December 1690 p̄sently after the time M^{r} Rothwell had left him, being examined to the purpose M^{rs} Molineux had been testifyed the same.

DOROTHY TAYLOR, chambermaid to S^{r} Rowland Stanley at Hooton for 7 or 8 years past, and being examined to the same purpose, testifyed as the two last witnesses had done.

M^{r} FRANCIS JACKSON, an Ensigne in the Militia of Cheshire, being asked how often he had searched Hooton in Cheshire, S^{r} Rowland Stanley's house, for armes since the revolucon answered he had by orders search't it 3 times, that one time he found a case of Pistolls and a Carrobine belonging to the light horse, and, at another time, 2 birding pieces w^{ch} were all the armes he ever found there, and being ask'd further by S^{r} Rowland whether the

s̄d Mr Jackson had ever heard yt Sr Rowland Stanley had accepted any imploymt in the Militia in King James's time, and what character Sr Rowland bore in his country wth respect to his behaviour to the Goverm^t, Mr Jackson answered, yt he never heard yt Sr Rowland had accepted of any Comission in King James's time, and beleeved he never did, and for his character he was alwaies look't upon as a person of quiett and peacefull behaviour.

Mr GILBERT HEYES, Sr Tho: Cliftons steward, p̄duced to testify yt Sr Thomas was not at Croxteth in the months of June or July 1689, as Lunt had sworne, declared yt he came to Sr Thomas as his steward in the year 1689, some time before June, and that being come a stranger into Sr Thos business he was oblig'd to reside very constantly at Lithom yt year, and he positively said yt Sr Tho: Clifton was not any one night from his own house, when the s̄d Heyes was there, till the time Sr Thomas was carryed to Preston as a prisonr.

ROGER , Sr Tho: Cliftons groome, declared yt he had served Sr Tho Clifton this 30 yeares, and testifyed the same thing as the last witness had done.

THO: PATTEN ESQre,[31] being produced a witnes on behalf of Sr Tho: Clifton, declared yt he being one of the Deputy Lieutents of Lancashire in the year 1689, rec̄d orders from the Ld Lieutent to secure sev̄all of the Popish gentn, that amongst them Sr Tho: Clifton was one who was taken and brought prisonr to Preston, upon the 16th [32] day of June 1689; yt Sr Thomas being a very infirme man, and being unfitt to be carryed so far as Manchester, wch was the place where the rest of the popeish gentn then made prisonrs were secured, Mr Patten undertook for Sr Thomas, and

[31] He resided at Preston, was lord of the manor of Thornley, and a barrister at law. He was M.P. for Preston in 1688, and died at that place about 1697.

[32] The day is omitted in the *MS.*, though a blank space has been left for it; I have therefore inserted it from the Jesse *MS.*

pvailed to have him kept at Mr Patten's own house in Preston, where he continued prisonr, and was not discharged till January att wch time all the gentn were sett at liberty; that dureing that time Sr Thomas sevall times express't to the said Mr Patten much zeal and affection to the ꝑsent governmt, saying how much the ꝑsons of his religion ought to be satisfyed with their usage under it, as putting no difference betwixt them and other subjects, save in the public exercise of their religion, so long as they themselves would live quiett; yt he often ꝑtested for himself yt he could never endure to think of practising any change, and Mr Patten further said yt he very well knew Sr Tho's disposition to have allwaies been peaceable and quiett.

Then Mr Dicconson prayed leave of the Court yt he might call witnesses to prove yt Mr Walmesley was not in England in February 1691, as Mr Lunt had swore he was at Dunkenhalgh, nor any part of that year, for yt Mr Walmesley went out of England in the month of January $168\frac{8}{9}$ beyond the seas, and there staid till abt May last, at wch time he returned into England, and consequently could not at Dunkenhalgh, in February 1691, deliver a Comission to him the s̄d Mr Dicconson to be his Lieutent Coll, and the first witness called to prove it was

Sr HENRY WINGFEILD, who declared yt he became p̄ticularly acquainted wth Mr Walmesley, one of the prisonrs, at Pontois in France, about the month of August 1691, and from thence till the month of June 1692. Sr Henry affirmed yt Mr Walmesley continued in France, for yt he the s̄d Sr Henry dined, or visited him in France twice or thrice a week dureing all that time.

Mr JOHN PERKINS, governr to Sr Henry Wingfeild, declared he was very well assured yt Sr Henry was acquainted wth Mr Walmesley in August 1691, and continued to dine wth or visit him in France twice or thrice a weeke till abt June 1692, as the

s̄d S^r Henry had related, for y^t he the s̄d M^r Perkins was w^th S^r Henry all the time beforemen c̄oned.

M^r WIDDRINGTON, bro: to the Ld Widdrington, the next witnes who said y^t he became acquainted w^th M^r Walmesley, one of the prison^rs, at Paris in March 1690, that from that time till Aprill 1692, he constantly visited M^r Walmesley in France once or twice a week.

M^r ROBERT WINGATE, who waited on M^r Walmesley in his chamber, declared y^t he went out of England with his master into France in January $168\frac{8}{9}$, and liv'd with him there, in w^ch kingdome M^r Walmesley his master continued till ab^t May last, that constantly morning and evening he dressed and undressed his s̄d master, y^t he was not above a weeke absent from his master in all that time, and y^t M^r Walmesley was never 14 leagues[33] from Paris excepting once at the waters of Forge in Normandy.

THO: BRADDYLL ESQ^re, Justice of peace, the next witnes called, who said he lived within 2 or 3 miles from Dunkenhalgh, M^r Walmesley's house, and never heard M^r Walmesley was there since he went out of England in the year 1689, and verily beleeved y^t M^r Walmesley and so many gent^n w^th him, as M^r Lunt men c̄oned, could not have mett there but y^t he the s̄d M^r Braddyll, being so near a neighbour, should have heard something of it, w^ch he affirmed he never did.

Then M^r Dicconson offered to call more witnesses to prove the same thing, but the Court was so well satisfyed in that matter, they would not suffer any more to be called.

After M^r Dicconson had thus concluded his evidence, M^r Langton, another of the prison^rs, moved the Court saying: I hope yo^r Lo^pps do observe for me y^t the same evidence that has been given

[33] The text of the Jesse *MS.* has "20" leagues.

on behalf of Mr Dicconson proves as direct for me, yt I could receive no Comision from Mr Walmesley at that time, he being as you have heard in France.

After which Mr Blundell, another of the prisonrs, moved the Court as followes: My Lords, I have not the same advantage as the rest of the gentn have had agt Lunt's testimony to disprove him in that part of the evidence he has given, yt I was at Croxteth in June or July 1689; for, my Lords, I liv'd a neighbour to Croxteth, and I must own I have visited the Ld Molineux sometimes as a neighbour: what I can say is, how unfitt a pson I am for any such comand as Mr Lunt has given me lett any of you judge, who am lame both of my hands and feet, and cannot gett upon a horse without help — to wch Mr Justice Eyres replyed, but when you are on horseback yu can ride.

The prisonrs haveing thus concluded their evidence, the King's Counsell and the prisonrs both declined to summ it up to the Jury, but referr'd it wholly to the Court, and Mr Justice Eyres repeateing the evidence fully on both sides, concluded to the Jury:

Gentn, There is a mystery of iniquity on one side, if yu beleeve the evidence yt has been given for the King then it is plaine there hath been a great contriveance to bring in the French amongst us and raise a rebellion here, and that these gentn were actors in it; but if yu do beleeve yt this is a contriveance of Lunt and the rest to ruin these gentn at the Barr, to take away their lives and estates hopeing to enrich themselves thereby, as the witnesses for the prisonrs have declared, then the fault will lye more upon the accusers: if yu beleeve it to be so, the gentn then are innocent, aud yu must acquitt 'em.

Then Mr Justice Eyres said to the Jury: Gentn, this is a matter deserves great consideraton: we have sate here a long time, we will adjourne for 2 hours and then come into Court againe. In the mean time yu are to consider how credible the testimony is that has been given agt the witnesses for the King.

Then a Bayliffe was sworn to keep the Jury, but they saying they needed no time, turn'd themselves together, and after a short stay agreed upon their verdict w^th^out going out of Court, and being call'd over, and the prison^rs^ sett sev̄ally to the Barr, and the Court demanded[34] of the Jury to each of the prison^rs^ whether guilty or not guilty, they gave their verdict to each apart: not guilty. Then M^r^ Justice Eyres said to the gent^n^ acquitted:

Gent^n^, y^u^ see under what a mercifull and easy governm^t^ y^u^ live; y^u^ are sensible now that it is tender of the lives of Papists as well of Protestants; y^u^ are wash't from this guilt, lett me desire y^u^ to reflect on y^r^ happiness, and beware of ever entring into plotts and conspiracies ag^t^ it.

The Ld Molineux, S^r^ W^m^ Gerard Barr^t^, and Bartholomew Walmesley Esq^re^, were brought to the Barr, and the impannell w^ch^ were the first returned, being all gent^n^ of quality, and called, S^r^ Edward Chisenhall their foreman excused himself to the Court from that service, haveing, as he said, been challenged by the King's Counsell on Saturday, and if he was not then thought fitt to serve he supposed he was not fitt now, but the Court disallowing the excuse, he was called to the book and sworne, and so were the rest, w^th^out any challenge on either side; and the Indictm^ts^ ag^t^ the prison^rs^ were sev̄ally opened, and the Jury charged w^th^ the prison^rs^. The witnesses for the King and Queen were called, but none appeareing, M^r^ Justice Eyres told the Jury they must acquitt 'em unless they of their own knowledge knew something ag^t^ them; so the Jury turneing themselves together imediately after gave in their verdict to each of the prison^rs^ apart: not guilty.

Then M^r^ Justice Eyres said:

Gent^n^, you that are acquitted, y^u^ have here a very pregnant instance shewn to y^u^ that the Court refuses to give creditt, or so much as an ear to what the witnesses on Saturday have sworn to, and since there are none y^t^ accuse y^u^, I don't condemn y^u^.

[34] The Jesse *MS.* has, more correctly, *demanding*.

Gent^{n}, most of y^{u} if not all have been brought up in France, where the complexion of governm^{t} is much differing to this of ours, here the King rules by law, there his will and pleasure is a law; and therefore lett me advise y^{u} to study to be quiet evy one to mind his own buisness, and not to follow them who are given to change. Gent^{n}, no question but the Jesuits will be ready enough to suggest alteraẗon, but y^{u}l never be better'd by altering. Remember, Gent^{n}, y^{t} they are p̃sons who have no estates to loose, and they will not care for ruining y^{rs} if they have but hopes of getting any thing thereby. Lett me therefore say to y^{u}, Go and sin no more lest a worse thing befall y^{u}.

INDEX.

(I.) refers to *Abbott's Journal.*
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Manchester: Printed by Charles Simms & Co.

The Twentieth Report

OF THE

COUNCIL OF THE CHETHAM SOCIETY,

Held on the 24th day of March, 1863, (the first of the month, the day appointed by the Rules of the Society, falling on a Sunday).

The Council feel that they may congratulate the Members on the Society having now accomplished a period of twenty years, during which it has not failed in issuing, according to its original pledge, three publications for each year, and which at present form a series of sixty volumes. On the character and importance of the series it is unnecessary for them to enlarge, as it is generally admitted to be entitled to rank, in point of interest and sterling value, with that of any other similar Society in the kingdom.

As regards the works for the year 1862–3, the Council have to report that they have all been issued, and are now in the hands of Members.

The first of them is the third and concluding volume of *Mamecestre*, edited by Mr. Harland. With it appears the Introduction, which reviews the previous writers on the same subject, and gives an useful Summary of the work itself. A Glossarial Gazetteer, which brings together an extensive body of etymological Collectanea on the various names of places within or near the manor of Manchester, concludes the volume. As a secular and feudal history of Manchester, from the Norman Conquest to the latter part of the fifteenth century, built on the solid basis of charters and contemporary documents, this elaborate and very careful publication by Mr. Harland, the fruit of great labour, ability and antiquarian knowledge, leaves nothing to be desired, and has supplied a desideratum, which has been long felt and complained of, in the most satisfactory manner. The only subject of regret is that, though a Summary is given of the later

history of the manor, the series of charters and original documents terminates with the rent-roll of Thomas West, lord La Warre, in May 1473; and that the extent of the work compelled the Editor to withdraw a collection of about three hundred and forty abstracts of grants and charters &c. relating to the manor, and which had been prepared as an Appendix to it. These however, it is to be hoped, may form the materials of a future publication.

The other two volumes for the year 1862–3 comprise the *History of the Chantries within the County Palatine of Lancaster, being the Reports of the Royal Commissioners of Henry the Eighth, Edward the Sixth and Queen Mary*, edited by the Rev. Canon Raines. Transcripts of these reports, a mine of ecclesiastical history previously unexplored, were obtained from the Dutchy Office by the late Rev. Joseph Clarke, Rector of Stretford, and at his death, through the kindness of the Lord Bishop of Manchester, at whose suggestion they had been obtained, were placed in the hands of the learned and reverend Canon, to edit for the Chetham Society. It is sufficient to say of the work, as now published, and a higher character can scarcely be given of it, that it forms a worthy and appropriate Supplement to Gastrell's *Notitia*. The particulars it contains and preserves are of the most curious and interesting nature; and the light which it throws on the history of our church edifices and their founders clears up innumerable difficulties; and, while it serves to correct the mistakes into which various writers have fallen, supplies their frequent deficiencies and lacunæ by information of the most authentic kind. The reports are accompanied by that rich and copious, it would scarcely be too much to say, exhaustless, store of illustration which the reverend Editor has always at command; and he has added to the obligations of his readers by affording a clear and condensed view of the history and statistics of Chantries in his judicious, learned and entertaining Introduction.

The publications contemplated, or in progress, are:

1. *Collectanea Anglo-Poetica. Part* 3. By the Rev. Thomas Corser, M.A., F.S.A.

2. *Documents relating to Edward third Earl of Derby and the Pilgrimage of Grace.* By R. C. Christie, Esq., M.A.

3. *Catalogue of Tracts for and against Popery in the Chetham Library.* Second part. Edited by T. Jones, Esq., B.A., Librarian of the Chetham Library.

4. "*A True and Impartial Relation of the Warre that was between King Charles and the Parliament, so much as happened of it within the County Palatine of Lancaster.*" From the original MS. at Knowsley.

5. *Stanley Papers*, Vol. 3; *containing the Diary, Prayers and Meditations of James 7th Earl of Derby.* Edited by the Rev. Canon Raines, from the original MS. in the possession of the present Earl of Derby.

6. *Narrative of the Apprehension, Imprisonment and Release of Richard Abbott, a servant in the employ of Caryl lord Molyneux in* 1689. *With a further Account, containing many particulars not given in the Report* (contained in the "*Jacobite Trials*" Vol. xxvii. of the Chetham Series) *of the Trials at Manchester, October* 1694.

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8. *A new Edition of the Poems Collected and Published after his Death, corrected and revised, with Notes, and a Prefatory Sketch of his Life.*

9. *Worthington's Diary and Correspondence.* The concluding part. Edited by James Crossley, Esq., F.S.A., President of the Chetham Society.

10. *Heraldic Visitations of Lancashire.*

11. *Hollingworth's Mancuniensis.* A new Edition. Edited by Canon Raines.

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15. *A General Index to volumes XXXI. to LX. of the Publications of the Chetham Society.*

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DR. CR.

		L	S.	D.
1	Subscription outstanding for 1857-58 (15th year), reported at last Meeting.			
1	Collected	1	0	0
3	Outstanding for 1858-59 (16th year), reported at last Meeting.			
1	Collected	1	0	0
2	Still outstanding.			
5	Outstanding for 1859-60 (17th year), reported at last Meeting.			
2	Collected	2	0	0
3	Still outstanding.			
11	Outstanding for 1860-61 (18th year), reported at last Meeting.			
6	Collected	6	0	0
5	Still outstanding.			
31	Outstanding for 1861-62 (19th year), reported at last Meeting.			
1	Life membership vacant.			
32				
16	Collected	16	0	0
16	Still outstanding.			
8	Subscriptions for 1862-63 (20th year), accounted for last year.			
246	Collected since	246	0	0
47	Life Members.			
49	Subscriptions in Arrear.			
350				
44	Subscriptions for 1863-64 (21st year), paid in advance	44	0	0
	Books supplied to Members	2	0	8
	Book Postage	0	18	6
	3 per cent Dividends	7	4	6
	Interest allowed by Bank	5	19	2
		£332	2	4
	Balance 1st March, 1862	346	9	5
		£678	11	9

				L	S.	D.
1862.						
June	10.	Books bought to make up sets		2	2	0
,,	20.	Charles Simms & Co., on account of Vol. 58 Mamecestre.	50 0 0			
		,, 59 and 60 Lancashire Chantries	70 0 0			
				120	0	0
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Dec.	11.	Ditto ditto ditto		0	17	6
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In 1860			29 11 0			
,, 1861			10 0 0			
As above			120 0 0			
			159 11 0			
				188	3	6
1863.						
Feb.	3.	Stamped envelopes		0	18	0
,,	28.	Advertisements		0	11	3
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The Twenty-first Report

OF THE

COUNCIL OF THE CHETHAM SOCIETY,

Read at the Annual Meeting, held on the 1st day of March, 1864.

The first of the publications for the year 1863-4 to which the Council have to refer is the *General Index* from Vol. I. to XXX. inclusive, which was issued in the early part of the year. To this are appended separate Indexes to those works which originally appeared without that addition; so that every volume up to the thirtieth now having an Index, and the *General Index* affording every facility of reference to each, the contents of the first half of the Chetham Series can be at once gone through and ascertained without difficulty. The plan upon which this *General Index* has been prepared by Mr. Charles Simms appears to be an excellent one, and that it has been executed with great care and accuracy no one who examines the book minutely can entertain a doubt. The labour has been considerable, but the result will be to add in no slight degree to the value of the portion indexed; and the Council are happy to state that Mr. Simms is now proceeding with the continuation from Vol. XXXI. to LX. inclusive, and which will complete this supplementary addition to the series up to the end of the last year.

The second volume for 1853-4 consists of *The Narrative of Richard Abbott, a servant of Caryl Lord Molyneux, containing an account of his apprehension, imprisonment and release, in the years* 1689-91; and of a further *Account of the Jacobite Trials at Manchester, October* 1694, supplying many additions of a very interesting description to the *Report* published under the able editorship of Mr. Beamont in vol. xxviii. of the Chetham

Series. From the very curious narrative of Richard Abbott, which is now first printed from a *MS.* volume of the time, and from the two Reports of the Trials furnished in the previous and present volume, and taken respectively from the Jesse and Blundell *MSS.*, a very fair judgment may be formed of the character of the early part of the reign of King William III. in several important aspects, and of the position of Lancashire and Cheshire and the country gentlemen of those counties under the system which was then pursued. The picture is certainly a graphic and vivid one, and quite as deserving of attention as any which has been dwelt upon by the Historians of that reign. For the materials which compose this volume and the valuable information conveyed in the Prefaces and Notes, and which tend so materially to illustrate the documents printed, the members are indebted to Dr. Goss, the Roman Catholic Bishop, of St. Edward's College, Liverpool, who, through Mr. Beamont, most obligingly placed them at the disposal of the Council.

The third volume for 1863–4 is "*A Discourse of the Warr in Lancashire. A Trew and Impartial Relation of some of that vnhappie Intestine Warre that was betweene King Charles and the Parliament soe much as Happened of it within the countie Palaintine of Lancaster*," edited by Mr. Beamont, and printed from a transcript made by Canon Raines from the original manuscript at Knowsley, by permission of the Earl of Derby, to whose liberality the Society is under great obligation. This narrative was unknown to Dr. Ormerod when he published his most interesting and excellently edited volume of *Civil War Tracts* in the Chetham Series, and as it embraces the entire period of the war, from 1642 to the death of James earl of Derby in October 1651, in a consecutive history, and contains several particulars not to be met with in any of the tracts previously printed, it will form a very useful and important supplement to Dr. Ormerod's volume. The author was evidently a very zealous Parliamentarian, and though his name is not given in the manuscript, the persevering research of Mr. Beamont, whose Preface and Notes add greatly to the interest and value of the work, appears to have traced him out beyond the possibility of mistake.

To Dr. Fleming the Members are indebted for the portrait of James earl of Derby which accompanies the volume, and which is engraved from the fine painting by Robert Walker in the Doctor's possession, who has thus added to the debt of gratitude which is due to him on many accounts from the Chetham Society.

The two last publications are very nearly completed, and may be expected in a short time to be issued to the Members.

The publications contemplated, or in progress, are:

1. *Collectanea Anglo-Poetica*, Part 3. By the Rev. Thomas Corser, M.A., F.S.A.

2. *Documents relating to Edward third Earl of Derby and the Pilgrimage of Grace.* By R. C. Christie, Esq., M.A.

3. *Catalogue of Tracts for and against Popery in the Chetham Library.* Second part. Edited by T. Jones, Esq., B.A., Librarian of the Chetham Library.

4. *The Visitation of Lancashire in* 1532. Edited by Wm. Langton, Esq.

5. *Stanley Papers*, Vol. 3; *containing the Diary, Prayers, and Meditations of James 7th Earl of Derby.* Edited by the Rev. Canon Raines, from the original MSS. in the possession of the present Earl of Derby.

6. *The Register of the Manchester Free Grammar School, with Notices and Biographies of distinguished Scholars.* Edited by the Rev. J. Finch Smith, M.A., Rector of Aldridge.

7. *A Selection from Dr. John Byrom's unprinted Remains in Prose and Verse.*

8. *A new Edition of the Poems Collected and Published after his Death, corrected and revised, with Notes, and a Prefatory Sketch of his Life.*

9. *Worthington's Diary and Correspondence.* The concluding part. Edited by James Crossley, Esq., F.S.A., President of the Chetham Society.

10. *The later Heraldic Visitations of Lancashire.*

11. *Hollinworth's Mancuniensis.* A new Edition. Edited by Canon Raines.

12. *A Volume of Extracts, Depositions, Letters, &c., from the Consistory Court of Chester, beginning with the Foundation of the See.*

13. *Extracts from Roger Dodsworth's Collections in the Bodleian Library at Oxford relating to Lancashire.*

14. *Annales Cestrienses.*

15. *A General Index to volumes XXXI. to LX. of the Publications of the Chetham Society.*

DR. *The Treasurer in Account with the Chetham Society, for the year ending 29th February, 1864.* CR.

		L.	S.	D.
2	Subscriptions of 1858-59 (16th year), reported in arrear at last meeting.			
1	Collected	1	0	0
1	Outstanding.			
3	Subscriptions of 1859-60 (17th year), reported in arrear at last meeting.			
1	Collected	1	0	0
2	Outstanding.			
5	Subscriptions of 1860-61 (18th year), reported in arrear at last meeting			
3	Collected	3	0	0
2	Outstanding.			
15	Subscriptions of 1861-62 (19th year), reported in arrear at last meeting.			
6	Collected	6	0	0
9	Outstanding.			
49	Subscriptions of 1862-63 (20th year), reported in arrear at last meeting.			
36	Collected	36	0	0
13	Outstanding.			
44	Subscriptions of 1863-64 (21st year), accounted for at last meeting.			
237	Collected since	237	0	0
45	Life Members.			
24	Still outstanding.			
350				
	Composition of a Life Member	10	0	0
	Arrear of vacancy in succession to a Life Member	1	0	0
9	Subscriptions for 1864-65 (22nd year), paid in advance	9	0	0
	Books supplied to Members	36	10	0
	Book Postage	0	17	0
	3 per cent. Dividends	7	5	8
	Interest allowed by Bank	9	9	3
		£358	1	11
	Balance 1st March, 1863	364	8	0
		£722	9	11

			L.	S.	D.
1863.					
Mar.	12.	Postage	1	2	3
,,	12.	Charles Simms and Co., printing "General Index, Vols. I. to XXX."	76	9	10
,,	25.	Advertising	0	8	3
,,	25.	Hire of Room for Meeting	0	7	6
,,	25.	Charles Simms and Co., binding Vols. 57 to 60 and General Index	116	1	0
,,	26.	Charles Simms and Co., on account of making the Index	75	0	0
July	18.	Books bought to complete sets	1	12	0
Dec.	10.	Ditto ditto ditto	0	18	0
1864.					
Feb.	5.	Engraving	0	14	0
,,	26.	Advertising	0	10	0
			£273	2	10
		Balance 29th February, 1864	449	7	1
			£722	9	11

Audited by us and found correct,
JOSEPH PEEL,
GEORGE PEEL,
B. DENNISON NAYLOR.

2nd March, 1864.

A. H. HEYWOOD, *Treasurer.*

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